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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.
Eternal Spirit, we trust You to order our steps. Show us Your path and teach us to follow You. Lord, guide us by Your truth and instruct us with Your wisdom.

Today, help our Senators to give You their challenges as they remember that You have promised to make them more than conquerors. Infuse them with a spirit of peace, and may they find new strength in Your gift of quiet confidence. May they trust You above all and through all, as You pour into their hearts a greater love for You and humanity.

Use us, O God, to bring healing to those in pain, hope to those in despair, and peace to those in war.

We pray in Your awesome 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.

ORDER OF PROCEDURE

Mr. REID. Mr. President, following my statement the Republican leader will be recognized. I ask unanimous consent that I be recognized when he completes his statement.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume consideration of S. 744, the comprehensive immigration bill.

I renew my request to be recognized following the remarks of Senator MCCONNELL and the reporting of the immigration bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Grassley/Blunt amendment No. 1195, to prohibit the granting of registered provisional immigrant status until the Secretary has maintained effective control of the borders for 6 months.

The PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, when Alfredo Castaneda crossed the border from Mexico into the United States two decades ago, he didn't climb over a fence. He didn't swim across a river. He didn't fly over the border. He didn't walk through the desert. When Alfredo Castaneda crossed the border, he was a 2-year-old little boy perched on his father's shoulders.

The choice to leave Mexico wasn't an easy one for Alfredo's father, but the rumble of hunger in his belly and in his son's belly convinced Alfredo's dad to leave behind the world he knew for a hopefully better life in America. He wrote me a letter; it is addressed to me. Here is what he said:

I lived in a shack with one wall of my house leaning on my neighbor's; the other three were made of sticks and mud bricks. I wanted to give my family a better life, and so I hear the U.S. is a land of opportunity. All I want is to have a sliver of that opportunity for my family.

So with his wife by his side and his son on his shoulders, Alfredo's father came to America illegally. Alfredo was a 2-year-old boy, as I mentioned, at the time. Today he is a 23-year-old man who appreciates the privileges that come with life in America, but he is also conscious of the opportunities available only to U.S. citizens—opportunities that aren't available to him because of his immigration status.

When his friends applied for part-time jobs in high school, Alfredo knew he could never work legally. When he was researching a paper for a class, Alfredo was denied a library card because he had no identification. When he filled out an application for his dream school, selecting "noncitizen" on an online form, Alfredo received an error message in bold red letters that said "noncitizens cannot apply"—cannot apply for entry into this institution.

Alfredo's life in Nevada bears little in common with the shack of sticks and mud he left behind. For him, America truly is the land of opportunity his father envisioned. Yet, until recently, Alfredo could not get a Social Security number, a driver's license, or even a full-time job because he is an undocumented immigrant. But that hasn't stopped him from reaching for his dreams. This is what he wrote in addition to what we have already heard:

My parents constantly reminded me to be a good citizen and volunteer in my community whenever possible. They said that it would pay off and would help me acquire citizenship in the future. I took that to heart.

So Alfredo worked hard in high school—really hard—volunteered in a local hospital, and became politically

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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active. He enrolled in the College of Southern Nevada.

Since he can't find steady work, it has been difficult for Alfredo to afford tuition while he helps support his family. But he believes things are about to change for the better.

Thanks to a directive issued last year by President Obama, Alfredo and 800,000 DREAMers just like him won't be deported and will be able to work and drive legally. Alfredo has already applied for several jobs. He has even gotten a few interviews. He looks forward to learning to drive, going back to school, completing his associate's degree, and one day owning a business.

But President Obama's directive isn't a permanent answer. The Republican majority in the House of Representatives voted last week to resume deportation of outstanding young people just like Alfredo who were brought to this country through no fault of their own. Remember, this boy got here on his dad's shoulders. And the directive isn't a solution for Alfredo's parents and 10 million people just like them who live in the United States without the proper paperwork.

It is more important than ever that Congress pass a permanent fix for this Nation's broken immigration system. Alfredo believes in us. He believes we will succeed. He believes we will find the political will to pass commonsense, bipartisan immigration reform and do it now.

His letter contained a reminder of what is at stake in this debate. This is what he wrote:

It's not just a piece of legislation; that piece of paper holds our dreams, ambitions, and potential in it.

I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. SCHATZ). The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, it is my understanding that the immigration bill was reported, so we are on that bill right now; is that right?

The PRESIDING OFFICER. That is correct.

Mr. REID. And the pending amendment is what?

The PRESIDING OFFICER. The pending amendment is Grassley amendment No. 1195.

Mr. REID. Mr. President, in a brief moment I am going to move to table that amendment, but I want everyone to understand that I talked to Senator GRASSLEY yesterday and told him I was going to do this, and the staffs have been advised of it as well.

So I ask unanimous consent to move to table the Grassley amendment and that the vote on the motion to table occur at 10 a.m. following the remarks

of Senator MCCONNELL; and that at a time following Senator MCCONNELL's remarks, there be 5 minutes for the opposition and 5 minutes for those supporting the motion to table. So the vote would occur a little after 10 a.m., but that depends on how long Senator MCCONNELL speaks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

YOUNG AMERICANS

Mr. MCCONNELL. Mr. President, the Obama economy has been pretty rough on our Nation's young people. If you are a teenager looking for work over the summer break or if you are a high-schooler looking for a part-time job after school, good luck with that. The unemployment rate for 16- to 19-year-olds is 25 percent—25 percent—which is near historic highs. If you are a college graduate, things don't look much brighter. In fact, the unemployment rate for 20- to 24-year-olds is over 13 percent.

It hardly needs mentioning at this point that many Americans are likely to see their hours cut or their jobs disappear altogether as ObamaCare continues to come online. That is because so far we know that the President's new health care law will impose about 20,000 pages of onerous regulations and probably many more than that when all is said and done.

Many of these regulations will hit small businesses, which create the majority of new jobs in our country. Many of these regulations will hit part-time workers very hard. For instance, the law punishes businesses if they allow employees to work too many hours. So it is no surprise when we read any one of the numerous stories about companies slashing hours. It also punishes businesses if they dare to give jobs to too many people, so, of course, it will probably lead them to slash jobs or actually limit hiring.

I am sure the Washington Democrats who drafted ObamaCare thought they were striking some blow for "fairness" with these job-crushing ideas. Well, now the youth of our country are finding out what Democrats' so-called fairness means for them. It means smaller paychecks or no paychecks at all. It must seem pretty unfair from where they stand.

It actually gets a lot worse. Many experts predict that ObamaCare will also cause health care premiums to skyrocket, especially for younger Americans. Some studies show that young men in particular could see rate increases of 50 percent—50 percent—more. Think about that. You work your tail off in high school just to get into a good college. You spend 4 years pulling all-nighters and cramming for finals, all for the privilege of putting on a gown, accepting your degree, and potentially spending who knows how long frantically searching to find work.

Then, if you are lucky—if you are lucky—your hours get cut after you find a job or maybe your job gets cut altogether. You get a letter in the mail that says: Sorry, your premium is going up by double-digits. Can't pay the higher premium? Too bad. If you don't, Uncle Sam slaps you with a penalty tax. And for all the talk of subsidies, the studies indicate these payments from taxpayers might not even make up for the higher costs.

Look, I would be pretty disillusioned if I were in that position, and I think everyone else would be also. Well, it could get worse if Washington Democrats don't start getting serious about working with Republicans on student loans too. As I mentioned last week, President Obama and Republicans actually agree in broad terms on the way forward for student loan reform. As the President's Secretary of Education told Politico yesterday—this is the Obama administration's Secretary of Education:

My strong preference would be for a longer-term solution, and not to just keep solving it this year, and then the next year and then the next year.

So it is time for Senate Democrats to stop blocking us from enacting permanent reform because Federal rates for new student loans are set to double—double—if we don't act soon.

Several Senate Democratic leaders have basically already admitted to the media that they would rather have a failed bill they can morph into a campaign issue than a signed bill that can help 100 percent of students.

It is time for that to change, and they should not assume younger Americans will be that easily tricked one more time in 2014. These young men and women may be drowning in the Obama economy, but it is not because they are dumb or lazy or apathetic. It is because of policies dreamed up in Washington during the years of the Obama administration.

As the days go by, these young Americans are discovering just how unfairly Washington Democrats have treated them in the past few years.

KEEPING A COMMITMENT

Finally, Mr. President, we have been discussing on a daily basis whether the majority leader will keep the commitment he made at the beginning of the last two Congresses that no rules changes would be made other than by following the rules. In other words, the commitment was: I will not break the rules of the Senate in order to change the rules of the Senate.

My friend the majority leader has made that commitment on two occasions. He made it in January of 2011 for the next two Congresses. We are in the second Congress now. At the beginning of this Congress, we had an extensive discussion about rules changes, after which the vast majority of Senate Republicans supported two rules changes and two standing orders, and in return for those changes we made, the majority leader committed once again that

for this Congress he would not pull the nuclear trigger, as we call it around here, use the nuclear option; in other words, turn the Senate into the House.

So the majority leader will be confronted with his promise, his commitment, on a daily basis until we understand fully that he intends to keep his commitment to the Senate and to the American people.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1195

Under the previous order, the time until 10 a.m. is equally divided between the proponents and opponents of the motion to table the amendment offered by the Senator from Iowa.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the proponents be given 5 minutes and the opponents be given 5 minutes and then we vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise to speak against the amendment offered by my friend and colleague, the ranking member of the Judiciary Committee.

What does this amendment do? It is very simple. It says that the 11 million people living in the shadows cannot even get RPI status, the provisional status by which they can work and travel, until—until—the Secretary of Homeland Security says the border is fully secure.

We all know that will take years and years and years, and that is why an amendment very similar to this came up in the Judiciary Committee and was defeated 12 to 6, with two Republicans joining the Democrats in voting against it, Mr. FLAKE and Mr. GRAHAM, who were part of our so-called Gang of 8.

The problem with the amendment is very simple: What do we do for 5, 6 years until the border is fully secure? It is going to take a while to do it. We need to bring equipment there. We need to build fences there. We need to do all of the kinds of things that are in our bill. We provide \$6.5 billion to build \$1 billion worth of border fence, to deploy sensors, fixed towers, radar, drones that will cover the entire border.

So what are we telling those 11 million? If you hide successfully from the police, then maybe 5 years from now

you can stay here and get the right to work and the right to travel. This clearly would undo the entire theme and structure of the immigration bill that has such bipartisan support that is before us today.

Again, let me repeat, as I understand it, it is opposed by all the Members of the Gang of 8—the four Democrats and the four Republicans—for the very reason it will take years and years until the border is secure. To wait that long, we will have millions more come across the borders illegally, the number of illegal immigrants in America will increase, and we may never get to real immigration reform that is needed—so desperately needed—by the country.

I strongly urge that this amendment be defeated. The American people made it resoundingly clear they want us to move forward with immigration reform in a careful, balanced, and bipartisan way. They want us to secure the border, and they want us to be reasonable about the 11 million who are here and about future immigration so we can grow the American economy. That is what our bill does.

This proposal would undo much of that without proposing any real solutions as to what we do before that. It has bipartisan opposition, and I strongly urge that it be defeated.

I yield the rest of my time to the chairman of our Judiciary Committee, Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this amendment offered by my friend from Iowa would significantly delay even the initial registration process for the 11 million undocumented individuals in the country.

We believe the pathway to citizenship has to be earned, but it also has to be attainable. This amendment would further delay a process that already would take at least 13 years.

Bringing these 11 million people out of the shadows is not only the right thing to do, it is the best thing to do. It keeps our country safe. We would know who is here. We could focus our resources on who poses a threat.

This amendment is also unnecessary. We have been pouring billions of dollars into border security in recent years. We have made enormous progress since the last immigration bills in 2006 and 2007, and this bill takes even more steps.

As I said yesterday on the floor, I am going to have to oppose this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I wish to remind my colleagues that we were promised an open and fair process on this legislation. The fact that the majority is moving to table my amendment proves this so-called open and fair process is a farce. The majority is afraid to have an up-or-down vote on my amendment. They are apparently

afraid to have an open debate and vote on a provision that ensures true border security before legalization, and that is what the people of this country want. They claim to be open to improving the bill, but this motion to table shows they are not ready to fundamentally change the bill.

By tabling my amendment, the majority is stifling progress on this bill. They are refusing to have an amendment process to improve it. This is not the right way to start off on a very important bill.

You know, we only do immigration reform once every 25 years. So what is the hurry? Surely, we need an amendment process in which true immigration reform can succeed. There is a lesson to be learned from the 1986 legislation that is now the law of the land. Then, we legalized first and thought we were going to secure the border later, which we never did.

So this amendment is the first of many that will improve the bill and do what the authors of the bill say they want to do, secure the border and do what the American people expect us to do. If the American people are being asked to accept a legalization program in exchange for that compassionate approach, they should be assured that the laws are going to be enforced.

But as we read the details of the bill, it is clear the approach taken is legalize first, enforce later, the same mistake that was made in 1986. My amendment would fundamentally change that. The amendment that is now pending would require the Secretary to certify to Congress that the Secretary has maintained effective control over the entire southern border for at least 6 months before processing applications for legalization.

It is a commonsense approach: border security first, like promised, legalize next. If the bill passes as is, the Secretary only needs to submit two plans before processing people through the legalization program. We do not need to pass any more legislation that tells this administration to do a job that is already required of them that they are not doing. People want laws enforced. Nevertheless, the bill would start legalization even if the strategies the Secretary submits to Congress are flawed and inadequate. What if this Secretary is not committed to fencing? What if this Secretary believes the border is more secure than ever? Well, in fact, this Secretary told the committee she thought the borders were secure. That should concern all of us.

Legalization status is more than probation. This RPI status is, in fact, legalization. Once a person gets RPI, they get the freedom to live in the United States. They can travel, work, and benefit from everything our country offers. RPI status is de facto permanent legalization.

We all know it will never be taken away. People who say 10 years down the road if we do not have the borders secure, that they are going to take

back and classify these people as illegal again, that is naive. Given the history of these types of programs, we know it will never end.

My amendment improves the trigger and fulfills the wish of the American people. My amendment ensures that the border is secured before one person gets legal status.

If we pass this bill as it is, there will be no pressure on this administration or future administrations to secure the border. There will be no push by the legalization advocates to get that job done. We need to work together. We need to secure the border for several reasons, so that we are not back here in the same position 25 years from now saying we made a mistake 25 years ago, like we know now we made a mistake. We need to protect our sovereignty and to protect the homeland and improve national security.

Under my amendment the Secretary would have to prove that we have effective control, as defined in the bill, for 6 months before the applications for registered provisional immigration status are processed. I agree with at least one of the authors of this bill that if the border security title is not improved this bill does not stand a chance of getting to the President.

So my amendment is a first and necessary step to fixing this issue.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, my dear friend—we have served together in the Congress for more than three decades—I care a great deal about him. He is a good legislator. But I think the only criticism I have is he must be reading my speeches because the speech he just gave is almost a carbon copy of what I have been saying for a long time: that we should not have this 60-vote threshold on everything the Republicans created.

For him to come now and say we are going to have 50 votes, he should go back and reread my speeches, which maybe his staff has done.

I move to table the Grassley amendment. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to table amendment No. 1195 offered by the Senator from Iowa.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—57

Baldwin	Cantwell	Durbin
Baucus	Cardin	Feinstein
Begich	Carper	Flake
Bennet	Casey	Franken
Blumenthal	Coons	Gillibrand
Boxer	Cowan	Graham
Brown	Donnelly	Hagan

Harkin	McCaskill	Sanders
Heinrich	Menendez	Schatz
Heitkamp	Merkley	Schumer
Hirono	Mikulski	Shaheen
Johnson (SD)	Murkowski	Stabenow
Kaine	Murphy	Tester
King	Murray	Udall (CO)
Klobuchar	Nelson	Udall (NM)
Landrieu	Reed	Warner
Leahy	Reid	Warren
Levin	Rockefeller	Whitehouse
McCain	Rubio	Wyden

NAYS—43

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Grassley	Pryor
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Scott
Chiesa	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Collins	Kirk	Vitter
Corker	Lee	Wicker
Cornyn	Manchin	
Crapo	McConnell	

The motion was agreed to.

Mr. REID. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, for the benefit of Members, we have had a number of amendments filed, and I would like to move forward on trying to move this legislation along. That is what this is all about.

So, Mr. President, I ask unanimous consent that the following amendments be in order and be called up in the order I offer them here: Thune No. 1197, Landrieu No. 1222, Vitter No. 1228, Tester No. 1198, and Heller No. 1227; that the time until 11:30 a.m. be equally divided between the two managers or their designees for debate on these amendments; that at that time; that is, 11:30 a.m., the Senate proceed to vote on the amendments in this agreement in the order listed; that there be no second-degree amendments in order prior to the votes; that all the amendments be subject to a 60-affirmative vote threshold; that there be 2 minutes equally divided between the votes, and all after the first vote be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I have a suggestion: that we agree to everything for the first four amendments on the list.

I object.

Mr. REID. So you object to the whole thing?

Mr. GRASSLEY. Yes.

Mr. REID. I thought we had a deal there.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. I therefore ask, because of the objection, unanimous consent that the following amendments be in order

to be called up: Thune No. 1197, Landrieu No. 1222, Vitter No. 1228, Tester No. 1198, and Heller No. 1227.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Reserving the right to object—

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I suggest to the majority leader we can agree to what he has suggested except for Heller amendment No. 1227.

Mr. REID. I am disappointed my colleague's amendment is not going to be part of this, but maybe we can work on that at a subsequent time.

Mr. GRASSLEY. Yes.

The PRESIDING OFFICER. Is there objection to the request as modified?

Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, while we are determining the best way to move forward on these amendments that are now in order, I ask unanimous consent that the Senator from New Mexico Mr. HEINRICH be allowed to speak for up to 15 minutes to give his maiden speech before the Senate, and during that 15-minute period of time we will try to figure out a way to proceed.

That is the request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I also ask unanimous consent that following the Senator's statement I be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico.

MEETING 21ST CENTURY CHALLENGES

Mr. HEINRICH. I thank the Chair for the opportunity to address the Chamber today.

Mr. President, I am a strong believer that innovation is what America does best, that boundless wonder and curiosity can lead to revolutionary discoveries, and that diligence and optimism can break down barriers. I am a believer that technology and, more importantly, the scientific method are how we can best meet many of our 21st-century challenges. And this is, indeed, a time of great challenge for our Nation.

There is no question that it is easier to legislate in a time of peace and prosperity than in a time of economic recovery and global conflict. But Americans, Mr. President, are no strangers to adversity. Time and again we have shown our ingenuity and our perseverance. In fact, the very character of our Nation has been shaped by hard work and innovation. That is America's story. I am certain our capacity to deal with the challenges we face rests heavily on our ability to make policy that is driven by facts, by data, and, yes, by science.

Historically, America has responded to challenges with transformative innovations—electricity, radio, television, transistors, silicon computer

processors, and the rise of the modern distributed Internet. In my own State of New Mexico, we have built our economy around some of the greatest innovations of the modern era.

New Mexico Tech, the University of New Mexico, and New Mexico State University offered advanced degrees in chemistry and engineering as early as the 1890s. After World War I, Kirtland, Holloman, and Cannon military bases in our State provided supreme training conditions for the new flight wing of the Army that would eventually be called the U.S. Air Force.

During World War II, New Mexico was home to the Manhattan Project, which installed Los Alamos National Laboratory, White Sands Missile Range, and Sandia National Laboratories.

Through the collaboration of its major defense and research installations, New Mexico has become the birthplace of technologies that have changed the world. Over time, our National Labs, our universities, and our defense installations have proven to be invaluable to research and development not only for our State but for the entire Nation. They led key research efforts during the space race and continue to develop modern defense and computer technology in the digital age, often partnering with private sector innovators such as Intel Corporation.

As innovators in technology transfer, Sandia National Labs and Intel came together on the development of radiation-hardened microprocessors for space and defense applications. With the help of our State universities, New Mexico will continue to lead the way in low-carbon energy technology.

The University of New Mexico Taos Campus is a prime example of the public and private sectors working together to employ cleaner energy. Their campus is home to one of the largest solar arrays in the State—a project that was successful thanks to a partnership with Los Alamos National Lab and Kit Carson Electric Cooperative.

On the research front, Santa Fe Community College and New Mexico State University are developing algal biofuels as a source of liquid renewable energy. In addition to our universities benefiting from technology transfer, Los Alamos National Lab's Labstart Initiative is also promoting growth in the private sector. This program encourages future entrepreneurs to start businesses using technologies first developed within our National Labs. So far, the lab-to-market strategy has brought \$20 million in revenue for the 19 companies that have started under this initiative.

Today, the technology industry, both public and private, supports nearly 50,000 jobs in our small State at over 2,000 technology establishments throughout New Mexico. It is our history of innovation and new technology that drive New Mexico's economy and our contributions to this great Nation.

As our country faces the challenges of bringing our economy back from a

devastating recession and reversing the effects of climate change, we must embrace the challenge and lead the world in innovation and clean energy, using science as our guide to setting public policy. Yet during my time in Washington, too often I have seen scientific integrity undermined and scientific research politicized in an effort to advance ideological or even purely political agendas. I have watched as too many of us in elected office moved from being entitled to our own opinions—something which our democracy relies upon—to embracing the belief that somehow we are entitled to our own facts. None of us are entitled to our own facts.

As someone who began my adult life studying engineering, I believe we must better use science as a guiding tool in our deliberations on how to set public policy. Whether for our national security, our energy independence, or our Nation's ability to compete in the global economy, our efforts and our solutions should be rooted in fact and driven by the best available science but also with a keen eye to the innovations that are transforming our Nation before our very eyes.

By investing in education, in research, engineering, in our teachers, and in our professors, we will lead the world in scientific and technological innovation. Even in this challenging fiscal environment, we must make the investments that have paid dividends for our Nation time and time again.

My own path to scientific inquiry began in the first grade. I had a teacher named Mrs. Taylor, who saw in me a thirst for knowledge and discovery. She fed that desire, even when it meant considerable extra work and planning a supplemental curriculum that wasn't part of her normal work plan. She was the kind of teacher—and I hope some of you have had one—who would take the extra time to make sure a student hungry to read never ran out of new books to explore or that a student interested in fossils and dinosaurs had extra projects and materials to feed their interest.

I can honestly say, if it weren't for Mrs. Taylor, my own life would have taken some very different turns. When we ensure that every student has a Mrs. Taylor, we ensure that our children will not just spend their afternoons playing on tablets and smart phones, but they will have the education to grow up designing and building the next generation of technology and devices. We should harness their natural intellectual curiosity to solve humankind's greatest challenges.

From the classrooms of our elementary schools to the research labs of our universities, to the grounds of our National Laboratories and research institutes to the offices of venture capital firms and innovative tech startups, the frontiers of human knowledge can be boundless. If we harness it, we will continue to fuel our Nation's prosperity.

No area of innovation and science will be more important in the coming

years than our Nation's ability to tackle climate change and to lead the world in clean energy technology. America can and must become truly energy independent, and we must move from traditional carbon-intensive energy sources to ever-cleaner alternatives. Investing in cleaner energy will create quality jobs and protect our Nation from the serious economic and strategic risks associated with our reliance on foreign energy.

I must take the opportunity to say how impressed I have been with the current bipartisan efforts to embrace energy efficiency.

Whether your goal is job creation, economic vitality, saving consumers money, or lowering your carbon footprint, conservation is not only conservative, it is effective. Getting the most out of every unit of energy we use should be a concern for all of levels of government—State, Federal, and local—and for community organizations as well.

I have spent a lot of time traveling across my home State of New Mexico highlighting how innovation and investment in new energy technology can help create good jobs and grow our economy. New Mexico is home to innovators such as EMCORE Corporation, a leading provider of compound semiconductor-based components, which recently deployed a system that uses solar cells with a conversion efficiency of sunlight to electricity of 39 percent, a remarkable feat; Sapphire Energy in Columbus, NM, which is producing drop-in crude oil from algae, sunlight, and CO₂; and, energy storage projects in Los Alamos and Albuquerque that are demonstrating smart-grid technology with solar PV storage fully integrated into a utility power grid. These are just a few examples. It is clear New Mexico is already capitalizing on a diversified but rapidly innovative energy sector.

To help the Nation transition to cleaner sources of energy, I am supporting efforts to streamline permitting for renewable energy projects while still protecting access to our public lands for families and sportsmen to enjoy.

Another key to further development of clean energy is to alleviate the bottlenecks in the electric power grid. New Mexico is an energy exporter, and I am working to spur substantial renewable energy development by adding the transmission capacity that will allow us to export clean energy to markets in Arizona and California. Through American ingenuity, we can unleash the full potential of cleaner homegrown energy and put Americans to work while we are at it.

At the same time, we can, and we must, lead the world in addressing our climate crisis. Climate change is no longer theoretical. It is one of those stubborn facts that doesn't go away simply because we choose to ignore it. In New Mexico we are seeing bigger fires, drier summers, and less snowpack

in the winter. And as I speak these words, too many of our high elevation forests are burning. With humidity levels lower and temperatures higher, we are dealing with fire behavior that is markedly more intense than we have seen in the past. Over the last 3 years alone, we have seen two of the largest fires in New Mexico's history. With elevated temperatures, studies at Los Alamos National Labs predict that three-quarters of our evergreen forests in New Mexico might be gone as early as 2050.

At the same time we are experiencing our driest 2-year drought since record-keeping started in the mid-19th century. Flows in the Rio Grande are less than 20 percent of normal. Since the first of the year, central New Mexico, where I live, has seen less than 1 inch of rain. This is a tragedy, and we must start taking active steps to reverse it. We owe that to our children. We owe that to the next generation.

In 1961 President John F. Kennedy made a bold claim that an American would walk on the Moon by the end of the decade. Eight years later, Neil Armstrong did just that.

Today we face a similarly audacious challenge when it comes to addressing climate change. We need to think big and we need to execute. We did that when President Kennedy said we would go to the Moon—and we made it happen as Americans. Climate change is our greatest future challenge, and we must commit to solving it within the decade.

I am by nature an optimist. I have seen this great Nation defy the odds again and again. And, yes, I believe compromise and even bipartisanship are still possible. Our country is strong because of rigorous debate, but debate doesn't mean endless gridlock. Despite our differences, there are issues where both parties can come together and find common ground. Using science to rise to our Nation's challenges, whatever those may be, should be one of those areas. It is one I am committed to, and I look forward to working with my colleagues so our Nation and my home State of New Mexico can achieve the greatness and future all of our children deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I am going to ask consent that we have a vote on some judges in an hour. But prior to saying that, I want to say this. This is a very important bill. People want to offer amendments on this bill. We have

five amendments that are now pending. There are ways we could move forward expeditiously, but sometimes that is not the right thing to do.

We have a number of issues I want to focus on for just a minute. No. 1, we have a storm coming—we all know about that—in a couple of different waves. We have meetings going on today in the Capitol with different groups of people trying to figure out a way to go forward on this important legislation. I think what we should do is have these judges votes, have people go ahead and do their meetings—for example, there is one at the White House late this afternoon with some Senators.

But I do say this: We are going to finish the work on the floor soon on this bill, but we are going to come back Monday and we are going to be on this bill. I want to alert everybody that next weekend we will be working on this bill. We are going to finish this bill before the July 4 recess. Everyone should understand that. Everyone has had adequate warning, notice, that we are going to work next weekend. That means Friday, Monday, and that includes Saturday and Sunday to get this legislation done. If something comes up and we do not have to do that, good, but as things now stand, I see that is something we have to do. I want to make sure people know. They know because we have to move forward on this legislation.

We have a lot we have to finish during the July time period. We will be on this legislation. I have had a couple of Senators say: Can we be next? Mr. President, everyone is alerted. We are working. Both sides are working in good faith to get this bill done, and we are going to continue to do that. Hopefully we will not have to terminate all these amendments with procedural votes. If we have to do that, we will, but I would rather not do that.

I hope everyone will continue working to come to an agreement on how we can improve this bill. I kind of like it the way it is, but I am not the one who is going to make this determination. The ranking member is here, and he will have plenty of time for speeches this afternoon on this legislation. I also appreciate everyone being reasonable. My friend the Senator from South Dakota is always very easy and pleasant to work with. I talked to him about how we should move forward on his amendment, and we had a good conversation. Hopefully what I have said will pacify everyone for the time being and hopefully for a long period of time so we can get this done.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATIONS

I ask unanimous consent that at 11:30 today the Senate proceed to executive session to consider Calendar Nos. 47 and 49 under the previous order. Therefore, under the order, the Senate would have one or two votes beginning at noon, beginning on the confirmation of Nitza Alejandro and Jeffrey L.

Schmehl to be U.S. district judges for the Eastern District of Pennsylvania. Both of these judges are from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. So people can plan, we hope the first one will be by voice. This one vote after noon will be the last vote of the week.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 1197

Mr. THUNE. Mr. President, I thank the majority leader for trying to work with us in a fashion that will allow us to get to some votes on amendments. We have several amendments pending, one of which is the amendment I have offered, amendment No. 1197. I spoke to this subject a little bit the other evening as we commenced debate on the immigration bill. I would like to, if I might, elaborate a little bit further on why I believe this amendment is important and why I think it strengthens and improves the underlying bill.

I said the other evening that I am very convinced—I think we all are—that we need an immigration system that works. The immigration system we have today is broken, and it must be fixed. Unfortunately, each time Congress has tried to fix our immigration system, promises of a more secure border have never held. The bill in front of us is well-intended, but it is following the same path as past immigration bills.

Under this bill, it is certain that 12 million undocumented workers will receive legal status soon after the bill is enacted. However, the border security provisions of this bill are nothing more than promises which, again, may never be upheld. I have said this before. When I talk to constituents back in my State of South Dakota, there are couple of questions they ask. The first question is, When will our Federal Government keep its promises on border security? They also ask a second question; that is, Why do we need more laws when we are not enforcing the laws that are currently on the books?

It is time that we follow through on promises of a more secure border. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 required 700 miles of reinforced, double-layered fencing along the southern border. That goal was reaffirmed when Congress passed the Secure Fence Act back in 2006. To date, less than 40 miles—36, to be exact—out of the 700 miles of fencing required by law has been completed.

My amendment No. 1197 simply requires that when we implement current law prior to legalization—that is an indication that we are serious about border security—as specified by this amendment, 350 miles of the fencing would be required prior to RPI status being granted. The completion of this section of the fence would be a tangible demonstration that we are serious about border security. After RPI status

is granted, the remaining 350 miles required by current law would have to be constructed during the 10-year period before registered provisional immigrants can apply for green cards.

There are still many problems with this bill that need to be addressed. I think that is what the amendment process is all about. But I say to my colleagues here in the Senate that if we want to show we are serious about border security and not just talking about it but actually making real changes to make our border more secure, then this amendment is one way to show we are serious.

There has been a lot of discussion about the various costs associated with building a fence. If we look at the different estimates about border fence costs, there are quotes from private contractors suggesting that the cost of constructing a double-layered fence is about \$3.2 million per mile. Putting that in terms of a 700-mile fence, we are looking at about \$2.2 billion. Remember, it would cost a lot less than that if we reach the 350-mile mark, which is what my amendment calls for, prior to RPI status. But it is a reasonable cost.

There are dollars allocated in the legislation that are designed to strengthen border security. I suggest to my colleagues that one of the best, simplest, plainest, most straightforward ways of doing that is to build the fence—the fence that is required by law, that was required in the 1996 act and in the 2006 act and to date only 40 miles of which has been built.

This makes a lot of sense. I suggest that as we talk about the various other elements of the immigration debate and the legislation in front of us, we start with this. If we start with this, I think we can convince the American people we are serious.

I think it is difficult for Americans to trust Congress, trust the government to do the right thing on the border when past promises have not been fulfilled. If we go back to the 1986 immigration reform legislation, there were promises made about border security that were never kept, and we allowed people to come in at that time. Since that time, here we are many years later with the same set of circumstances in front of us today, trying to figure out how to deal with the undocumented workers who are currently here but absent anything having happened that would ensure to the American people that the border security requirements are being met.

I encourage my colleagues in the Senate to express our commitment to the American people that before RPI status is granted, we are serious about securing our border, ensuring that the commitments made about building a fence there are fulfilled—again, 350 miles of which would be constructed prior to RPI status, and the other 350 miles of that 700-mile fence would happen subsequent to a green card being issued and moving into that next sta-

tus that is allowed for in this legislation.

This is not something that is complicated. I think if you are an American citizen in this country, you ask a couple of very straightforward questions. One is, why do we have to pass new laws if we are not going to enforce the laws already on the books? The 700 miles of border fence is on the books—in 1986, when it was first called for, and then in 2006, subsequent to that, it was again stipulated that a fencing requirement be completed on the southern border.

Interestingly enough, I would add that at the time when that vote was held in 2006, then-Senators Obama, BIDEN, and Clinton supported that bill, along with a lot of the current Members, authors of the legislation that is before us today.

It makes perfect sense to the American people. I think it is a necessary and essential, actually, requirement to be met not only for us to move on to the other elements of the immigration debate but, more important, to secure the American border.

I ask that amendment No. 1197 be made pending.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 1197.

The amendment is as follows:

(Purpose: To require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status)

Beginning on page 855, strike line 23 and all that follows through page 858, line 10, and insert the following:

(c) TRIGGERS.—

(1) PROCESSING APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until after the date on which—

(A) the Secretary has submitted to Congress the notice of commencement of the implementation of the Comprehensive Southern Border Security Strategy pursuant to section 5(a)(4)(B); and

(B) 350 miles of Southern border fencing has been completed in accordance with section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1122 of this Act.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—The Secretary may not adjust the status of aliens who have been granted registered provisional status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, until the Secretary, after consultation with the Comptroller General of the United States, submits to the President and Congress a written certification that—

(A) the Comprehensive Southern Border Security Strategy, which was submitted to Congress, has been substantially deployed and is substantially operational;

(B) the Southern Border Fencing Strategy has been submitted to Congress, implemented, and is substantially completed;

(C) 700 miles of Southern border fencing has been completed in accordance with section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 1122 of this Act;

(D) the Secretary has implemented the mandatory employment verification system required under section 274A of the Immigration and Nationality Act, as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(E) the Secretary is using an electronic exit system at air and sea ports of entry that operates by collecting machine-readable visa or passport information from air and vessel carriers.

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. EXTENSION OF REINFORCED FENCING ALONG THE SOUTHWEST BORDER.

Section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by adding at the end the following: “Only fencing that is double-layered and constructed in a way to effectively restrain pedestrian traffic may be used to satisfy the 700-mile requirement under this subparagraph. Fencing that does not effectively restrain pedestrian traffic (such as vehicle barriers and virtual fencing) does not satisfy the requirement under this subparagraph.”

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1222

Ms. LANDRIEU. Mr. President, I ask unanimous consent to call up amendment No. 1222, the Child Citizenship Act, for lawful adoptees.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself, Mr. COATS, and Ms. KLOBUCHAR, proposes an amendment numbered 1222.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent)

On page 1300, between lines 11 and 12, insert the following:

SEC. 2554. UNITED STATES CITIZENSHIP FOR INTERNATIONALLY ADOPTED INDIVIDUALS.

(a) AUTOMATIC CITIZENSHIP.—Section 104 of the Child Citizenship Act of 2000 (Public Law 106-395; 8 U.S.C. 1431 note) is amended to read as follows:

“SEC. 104. APPLICABILITY.

“The amendments made by this title shall apply to any individual who satisfies the requirements under section 320 or 322 of the

Immigration and Nationality Act, regardless of the date on which such requirements were satisfied.”.

(b) MODIFICATION OF PREADoption VISITATION REQUIREMENT.—Section 101(b)(1)(F)(i) (8 U.S.C. 1101(b)(1)(F)(i)), as amended by section 2312, is further amended by striking “at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings;” and inserting “who is at least 25 years of age, at least 1 of whom personally saw and observed the child before or during the adoption proceedings;”.

(c) AUTOMATIC CITIZENSHIP FOR CHILDREN OF UNITED STATES CITIZENS WHO ARE PHYSICALLY PRESENT IN THE UNITED STATES.—

(1) IN GENERAL.—Section 320(a)(3) (8 U.S.C. 1431(a)(3)) is amended to read as follows:

“(3) The child is physically present in the United States in the legal custody of the citizen parent pursuant to a lawful admission.”.

(2) APPLICABILITY TO INDIVIDUAL’S WHO NO LONGER HAVE LEGAL STATUS.—Notwithstanding the lack of legal status or physical presence in the United States, a person shall be deemed to meet the requirements under section 320 of the Immigration and Nationality Act, as amended by paragraph (1), if the person—

(A) was born outside of the United States;

(B) was adopted by a United States citizen before the person reached 18 years of age;

(C) was legally admitted to the United States; and

(D) would have qualified for automatic United States citizenship if the amendments made by paragraph (1) had been in effect at the time of such admission.

(d) RETROACTIVE APPLICATION.—Section 320(b) (8 U.S.C. 1431(b)) is amended by inserting “, regardless of the date on which the adoption was finalized” before the period at the end.

(e) APPLICABILITY.—The amendments made by this section shall apply to any individual adopted by a citizen of the United States regardless of whether the adoption occurred prior to, on, or after the date of the enactment of the Child Citizenship Act of 2000.

Ms. LANDRIEU. Mr. President, I am going to speak about this amendment in just a minute, but first I want to respond to Senator THUNE. I wish we could get a vote on my amendment as well as this one because I would like to vote and strongly express my objection to his amendment. I will comment for just a minute.

I chair the Appropriations Homeland Security Subcommittee that is actually building the fence. The money that builds it comes through my committee. I have looked at the fence they are trying to build. It is shocking to me, and would be shocking to everyone in America if they could see it. No matter if we build a single fence or double fence with spacing in between, it will be easy for people to get over it or under it.

I will vote against Senator THUNE’s amendment because I am not going to waste taxpayer money on a dumb fence, and that is what his fence would be. We need to build a smart fence. A fence is not just a physical structure which can be built out of a variety of different materials with or without barbed wire on the top.

A smart fence is what Senator MCCAIN and I want to build. Since he is from Arizona, I think he knows a little bit more about this than the Senator

from South Dakota who doesn’t have a border with Mexico but only with Canada, and that is quite different. If Senator MCCAIN were on the Senate floor, I think he would say we absolutely want to build a barrier of security, and this would be a combination of a physical structure that is built to the great standards we can with the technology that will actually shut down illegal immigration.

It is not correct for anybody listening to this debate to think that people on the Democratic side of this aisle or people supporting this bill do not want to secure the border. Nothing could be further from the truth. I may be over-ridden, and people may vote against it, but I am going to hold the position that we cannot waste billions and billions of dollars building a fence that doesn’t hold anybody on one side or the other. We have wasted enough taxpayer money.

While I didn’t come here to talk about this at this moment, I am going to talk about it for just a few minutes.

This immigration bill is about fixing a broken system, not dumping taxpayer money down a rat hole. And some people want to talk about building a fence. I went to look at the fence. I have been in tunnels that go under the fence. I watched people climb over the fence, and so has anybody who actually lives along the border, which is why Senator MCCAIN’s voice is so important in this debate.

No one should think that Senator MCCAIN, who has been the leader on border security in this Senate for 20 years, is not interested in building a strong fence. His State gets affected—just like California and Texas—more directly than any of us.

The Presiding Officer knows geography well. So for my colleagues to come to the floor and suggest that the eight people who put this bill together are not interested in border security is just truly false, misleading, and unfortunate. That is what this debate is going to be about.

I have respect for my colleague. I absolutely oppose his amendment, but I am going to come back and give some more facts about how we are building a smart fence, how we are going to keep using new technologies to keep people out that we don’t want and keep people in we want to keep in.

I want to say one thing about this immigration bill as well. We are the most open society in the world. It is a great source of pride to our country. We are an open, transparent democracy that is trying to create a broad middle class not only here in America but around the world, and trade and commerce are essential. We need secure borders that open for trade and create jobs. As chairman of this committee, I am not going to waste more money building something that doesn’t work just so some people can get a headline in their local press. It is just not going to happen.

So we are going to put money in this bill to build a smart barrier that is

going to have all the new technology we need to track down illegal immigrants and close that off. Then we are also—which is in this bill—going to use new technology, such as what we have seen on television and these fancy shows, to find the 40 percent of immigrants who came here under visas and overstayed, for the queue so they can pay their taxes, learn English, and become citizens.

I will come back and speak more on the record about this issue, and I am sure the Senator from South Dakota will have a response.

Happily, I don’t think there is an objection to my amendment, the citizenship for lawful adoptees. I am very happy I have the cosponsorship of Senator COATS, Senator BLUNT, and Senator KLOBUCHAR. This amendment does not go to the heart of the immigration bill, but it does touch the hearts of many parents and children who have been caught up in a very unfortunate situation.

A couple of years ago Senator Nickles from Oklahoma, whom I had the great pleasure of working with across the aisle on many important adoption bills, and I passed a bill that is very important to the adoption community. The bill basically says when a child is adopted overseas—we mostly do adoptions in America, but we have anywhere from 10,000 to 20,000 adoptions internationally.

When somebody adopts a child overseas, it is very expensive, time consuming, and more bureaucratic than it needs to be. Several years ago our bill said once that process is over and the adoption is finalized, those children will automatically become citizens. It was a great step forward because now we have at least 10,000 to 20,000 kids who are all various ages—infants, teenagers, all the way up to 18—who, once they come to the United States, don’t have to go through another process to get their citizenship; otherwise, we would obviously have a backlog of millions.

This is sort of giving the adopted kids a little express lane, which is what we wanted to do, and we did. Unfortunately, when we pass bills, many times the bureaucracy gets ahold of the law and starts to interpret it in a different way than we wanted and starts throwing barriers in the way.

Simply put, my amendment, which is supported by the Members I said, is going to fix three important provisions in that law. First, it says if a child is adopted into this country and later commits a misdemeanor or felony—just as if it was a biological child who committed a misdemeanor or felony—that person would not be deported. Deportation is not an option for adoptees. It may be an option for illegal immigrants but not children who have been adopted by American citizens. So we are going to correct that. They are going to have the full penalties against them. They can go to jail for a long time. They can do whatever the law

says, but deportation is not one of the options.

There have been very sad circumstances where adults were brought here as children, but the parents failed to get their certification. Many of them have been deported back to a country they never lived in a day, and they don't speak the language. As far as they know, in their mind they are completely American, even if they did know their country of origin. It is very unfortunate, and it has happened. This is going to bring help to maybe dozens and hundreds—it is not going to be more than that—of families to prevent any deportation of adoptees in the future.

Secondly, it will clarify the residency requirement. Over time the Child Citizenship Act has been misinterpreted so that the adopted children of Americans living abroad—particularly for military, diplomatic, and other reasons—do not receive automatic citizenship upon entering the United States. We intended, when we passed our bill, for this to apply to our military families and diplomats. As a result of serving in a foreign country, they have the opportunity to take in a child who is completely homeless and has no parents. They are doing God's work, and many times they end up in some bureaucratic haggling. So we are going to try to correct that.

Finally, it clarifies that when parents are required to travel overseas to adopt a child—some countries require two parents, some countries require one. Whether the country requires one or two parents, one will be sufficient to meet our standard. If two are required, then two have to go; but if only one is required, one is enough to meet our standard.

There have been months and months and years and years where parents who go through all of this trouble to do something they really believe God has called them to do—to adopt a homeless or unparented child or a sibling group—have come home to find that their own government, which would be our government, is nitpicking this law to prevent them from getting an easy path forward.

I hope there will be no opposition to this amendment. I am happy if we are required to have 51 votes or 60 votes. I will take any vote of any number for this bill. I hope the Members will support it.

I am sorry I have to oppose Senator THUNE's amendment, but I will be opposing all amendments that I don't think support the underlying nature of a smart barrier, which is a fence that is both physical and virtual and has new technologies that will actually do the job.

I could not even express how shocking it was to go down to the border and see the number of tunnels that were built under the fence. If we build three fences, they will still build tunnels under those fences. They could build four fences. I am very sorry, but I am

not going to waste people's money on that.

We are going to figure out a way to use technology to find these improper entrances to our country and close them down. It may be an actual fence in some places. It is going to be a virtual fence in other places. It is going to be special technology, lasers, helicopters, infrared, et cetera, et cetera.

Senator MCCAIN actually had a list of the equipment that we intend to buy with taxpayer money, and I am going to come to the floor and maybe spend some hours reading off the list so people know about this. We most certainly are not saying no to a fence because we don't want to secure the border. We are saying no to the fence because it is a waste of money, and we don't have any money to be wasted around here. We need smart technologies.

Now, I am going to read Senator THUNE's entire amendment because I have not read the details of it. I do believe I will be opposing it. It may be that his words did not appropriately say what his amendment does, but if it is an amendment that requires a complete fence and not a virtual fence, I will oppose it. If his amendment says I want a smart fence and we need to build more of a smart fence, then I will support it.

I want everyone to know there are going to be amendments about the fence, and this is the position I will take. I will try to encourage as many people as I can to assume the position I have because I think it is the right position, and I think the taxpayers will support this.

We want a secure border that is smart with the smartest technology possible, not one that just spends untold amounts of money decade after decade and fail and fail again.

I yield the floor, and I see the Senator is still on the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, if I might, I will make a response to the Senator from Louisiana. I understand that there is not going to be a barrier that will be 100 percent effective, but the type of double-layered fencing mandated by the law would be a significant physical deterrent, demonstrating that we are serious. It would prevent some of the pedestrian traffic but not all of it.

In the legislation of the fence that was required, we really don't know all that much about how effective it has been. I think it has been somewhat effective in States such as Arizona, but we have only built 36 miles of it.

In response to my colleague from Louisiana, we all voted for this. She described it as a dumb fence. She voted for the dumb fence. I guess I voted for the dumb fence. I didn't realize it was a dumb fence. I thought it was a commitment we made to the American people to secure the border.

I will certainly concede that there are other ways in which we can com-

bine manpower, technology, and infrastructure along the border to make it more secure. However, a border fence is a cost-effective component.

I would say to my colleague from Louisiana, there are dollars in this bill, \$6.5 billion for border security, some of which is dedicated—\$1.5 billion is dedicated to fencing infrastructure and those sorts of things.

The cost I mentioned in my earlier remarks, if we look at it on a per-mile basis to build the fence—\$3.2 million per mile—we would be looking at somewhere around \$1 billion less than the amount allowed for and allocated in the bill for fencing and infrastructure and those sorts of things.

But this is not a new issue. The Senator from Louisiana voted for the dumb fence. I think many of us in the Senate at the time—and I mentioned earlier many of the Senators here, including Obama, Clinton, and Biden, all voted for that fence.

We made a commitment to the American people we would get serious about doing this. We need to do it in the most cost-effective way, and there are many components of that. I fully understand that. But I also think a fence is a very serious and important deterrent and a commitment we made to the American people.

So the amendment, again, is very straightforward. It simply asks Congress to follow through on the commitment we made in 1996 and in 2006 and do more than 36 miles, which is what has been built so far out of the 700-mile commitment made to the American people.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I would just simply respond by saying I know the Senator is quite sincere, and he is correct. I voted for the dumb fence once. I am not going to do it again because I learned from my mistake. I went down there to look at it and realized we could build two dumb fences or three dumb fences and it would not work.

I am simply not going to waste the money to do something I know will not work. So if somebody else wants to vote for the dumb fence for the second or third time, go right ahead. But I was raised such that when you make a mistake, admit it and then fix it. I intend to fix it.

The fence we are going to build—Senator CARPER, Senator COBURN, Senator MCCAIN, and I—is a real and virtual fence that is actually going to work. We will have further debate on this issue.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF NITZA I. QUINONES ALEJANDRO TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOMINATION OF JEFFREY L. SCHMEHL TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The assistant legislative clerk read the nominations of Nitza I. Quinones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, and Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that all time be allocated equally as previously agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I know we are going to be voting in a matter of minutes on two judicial nominees for the Eastern District of Pennsylvania, which is the eastern side of our State. Obviously, these appointments are critically important to justice and critically important to litigants who come before these courts, whether they are civil or criminal matters.

These candidates go through an exhaustive review process. That is probably an understatement. The process includes the nomination through the White House under any administration and then the process continues through the Senate. There are all kinds of reviews. So we are finally to this point. It has been a very long road and we are grateful for that.

One of the votes will be by voice potentially and one will be a rollcall vote. I wish to speak about both candidates. I spoke about them yesterday, but I will speak briefly this morning.

First of all, Judge Quinones, who has served in the city of Philadelphia, has served on the common pleas court in the city of Philadelphia since 1991, in what is known as the First Judicial District of Pennsylvania, which is the

trial court in the city of Philadelphia. One can just imagine, in a big city such as Philadelphia, all of the matters a judge such as Judge Quinones would deal with over the course of more than two decades now, dealing with civil and criminal cases, all kinds of difficult and complex matters that come before a judge. In essence, she has been performing the same functions as a county judge that she would on the Federal district court. So I think she is more than prepared to take on this assignment.

In her case, this is also a great American story. Judge Quinones was born in Puerto Rico, educated there, and came to the United States. As I said, since 1991 she has been on the court of common pleas in Philadelphia. Prior to that, she was an arbitrator for more than a decade. She worked in the Department of Veterans Affairs. She worked in the Department of Health and Human Services. She did a lot of work in the 1970s for Community Legal Services of Philadelphia. So that speaks to a broad range of experience and expertise dealing with litigants and representing clients, which is so important in our system. She is someone who takes on the responsibility to represent someone in court so they may have their day in court, which is one of the foundational principles of our government. Then, of course, she later served as a judge, as I mentioned.

So it is not only a resume and a life story that speaks to experience and knowledge and insight when it comes to dealing with complex matters that come before the Federal courts, but it is also in a very personal way a great American story. So I am particularly grateful that her nomination is now coming to the Senate floor and that we will be able to have a vote on her nomination today.

I have enjoyed working with Senator TOOMEY on both of these nominations. Both of us represent a big and diverse State, one Democrat and one Republican, working through this process together, these judicial appointments.

We will be voting as well on a second judge in the Eastern District of Pennsylvania: Judge Jeffrey Schmehl. I can say a lot of the same things about his experience. Judge Schmehl is now and has been the president judge of the Berks County Court of Common Pleas since 2007. So for many years now he has been in the trenches, so to speak, or to use an expression from the Bible, "laboring the vineyards," dealing with cases of complex issues. Berks County, just by way of geographic orientation, is north of Philadelphia but on the eastern side of our State. It is a big county. It is a county that has a lot of matters that come before it that are particularly complex.

He has served, as I mentioned, as the president judge of the court of common pleas, but then prior to that he was a judge on that same court from 1998 to 2007. So these are long periods of time, in both instances, for Judge Schmehl

and Judge Quinones to serve on a court.

For those who know something about our judicial system and know a bit about the difference between an appellate court, where we are dealing with appeals and legal arguments, as opposed to a trial court, which is where the action is in terms of litigants, trial judges have to preside over a trial as well as deal with and rule on evidentiary matters. They have to deal with witnesses and lawyers and all the complexities of a trial. As we all know, when your case is on trial, it is the most important case in the world.

So these judges have tremendous experience as trial judges, and we are so grateful they are willing to put themselves forward not just to be nominated and today confirmed as judges, as I am sure they will be, but to put themselves forward for that kind of public service in a difficult environment, where the scrutiny and the review and the long road from nomination to confirmation can be very challenging.

So again I will pay tribute to the work Senator TOOMEY has done working with us. He is on the floor, and I wish to thank him for that good work. And obviously I thank the chairman of the Judiciary Committee, Senator LEAHY, who is on the floor as well. We appreciate him working with our offices to move these nominations forward.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, does the other Senator from Pennsylvania wish to say something?

Mr. TOOMEY. Mr. President, I would like to speak for several minutes, principally about the two judicial nominees.

Mr. LEAHY. I just want to make sure I have time prior to the vote at noon. How long does the Senator from Pennsylvania wish to speak?

Mr. TOOMEY. I think I could wrap this up in less than 10 minutes.

Mr. LEAHY. OK. Then, Mr. President, I simply ask unanimous consent that there be 4 minutes for the Senator from Vermont at the conclusion of the comments of the Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Because these nominees are from his State, I will step aside and let the Senator go forward.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I thank the chairman of the Judiciary Committee.

I do want to speak principally about the two nominees from Pennsylvania, both of whom I strongly support, and I am delighted they are going to get their votes today. But before I do that, I do want to put just a little bit of context on judicial nominations and confirmations as a general matter because I think it is important that we understand this.

In my own experience in the 2½ years I have been in the Senate, I know I have voted to confirm the vast majority of judicial nominees whom President Obama has proposed for us. In fact, since President Obama became President, the Senate has confirmed 193 district court nominees and blocked 2. That is a confirmation rate of about 99 percent. In the last Congress, the 112th Congress confirmed more judges than any Congress in 20 years. So by any reasonable measure, we are confirming judges at a terrific rate. Republicans are cooperating and confirming the nominees of a Democratic President, and this is as it should be when the nominees are competent, as they have been.

So President Obama is enjoying a rate of confirmation of judges that is far greater than the rate President Bush, for instance, enjoyed or most other previous recent Presidents, which is part of the reason why I am concerned when I hear persistent rumors that the majority leader is considering invoking the nuclear option and breaking the rules so he can change the rules as to how nominees get confirmed. I do not understand why there is a problem that would require this. If he were to do this, this would be in direct contradiction to a commitment he made to all of us very publicly that he would not do this. So I really hope that Senator REID will keep his word and that he will not break the rules in order to change the rules.

He stated very clearly in January of 2011 that—I will quote Senator REID:

I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate's rules other than through the regular order.

I would remind my colleagues that earlier this year Republicans went along with a rule change about which I had real reservations. I personally could not support it, but most Republicans did. It changed the rules, forfeiting some of the power we have as a minority, granting the majority greater flexibility to go to a bill without assuring us we would be able to offer the amendments we would like. We granted that to the majority in part because we got another explicit commitment that there would be no nuclear rule change if we made that agreement. Well, we did, at least as a party and as a body.

So, again, I certainly hope Senator REID will honor the promise he made that was part of that understanding, where he said in January of this year, in an exchange with Senator McCONNELL—Senator REID said:

Any other resolutions related to Senate procedure would be subject to a regular order process including consideration by the Rules Committee.

I would add, that means a 67-vote majority in the Senate because that is the way you change the rules in accordance with the rules.

SARAH MURNAGHAN

Having said that, I want to also make a brief mention of some terrific news we got in Pennsylvania; that is, the opportunity for a little girl named Sarah Murnaghan to have a lung transplant she had been waiting for. I have spoken about this on the Senate floor. A Federal judge in the Eastern District of Pennsylvania issued a temporary restraining order forbidding a rule that was keeping her off the transplant list to be a potential recipient of a donor lung transplant. Fortunately, by virtue of that restraining order, she was able to go on the list and receive the lung transplant. She had an emergency surgery just yesterday that seems to have gone very well, and we are all delighted for that and wishing for her speedy and full recovery.

Having said that, as I indicated to the chairman, I wanted to come down principally to say how pleased I am that we are going to vote today and I believe confirm both Judge Jeffrey Schmehl and Judge Nitza Quinones, who are two nominees for the Eastern District of Pennsylvania. Both are eminently qualified, terrific individuals who come highly recommended.

I commend Senator CASEY. He and I have worked together since I have been here. He has been terrific to work with. We have looked to identify some of the most capable and talented people. I would like to mention a couple of the things I know Senator CASEY mentioned.

Judge Schmehl is a terrific guy. He is the president judge of the Berks County Court of Common Pleas. His candidacy was approved by a voice vote in the Senate Judiciary Committee. He is a graduate of Dickinson College. He has his J.D. from the University of Toledo School of Law. He has served as a public defender. He has served in private practice. After 9 years at a law firm, he was elected to the Berks County Court of Common Pleas, where his colleagues made him the president judge. He is a very bright individual. He has a keen intellect, a great judicial temperament. He has done a great job on the Berks County court, and he will make a great Federal judge. I hope my colleagues will support his candidacy.

Nitza Quinones is a native of Puerto Rico. She is a graduate of the University of Puerto Rico School of Business Administration. At the University of Puerto Rico, she got her J.D. She has demonstrated a terrific commitment to the legal community and beyond that in Philadelphia. She has been very active mentoring young people—law students in particular—and is a great advocate of civic education for high school students. She has served on the Philadelphia Court of Common Pleas since 1991, presiding over a very large number of very diverse cases. She has extensive experience in the courtroom. She has demonstrated her ability, her commitment, her judicial temperament. Yet, as it happens, she will be the first Latino judge on the Eastern District of Pennsylvania court.

I think it is terrific that we are able to vote today to confirm both of these judges. I look forward to continuing to work with Senator CASEY to fill the remaining vacancies across Pennsylvania. I thank Chairman LEAHY for his work in advancing these nominees. I urge my colleagues to support their confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the words of both Senators from Pennsylvania. I would note there are currently three nominations pending for vacancies in the Eastern District of Pennsylvania. All three have the bipartisan support of their home State Senators. All three were reported unanimously by the Judiciary Committee 3 months ago. Yet Senate Republicans are permitting votes on only two of them. They are forcing Judge Luis Restrepo to continue to wait for a vote even though he would fill a seat that has been vacant for 4 years.

I mention this because we talk about how things move during this President's tenure as compared to that of his predecessor. At the end of President Bush's second term, I was chairman of the Judiciary Committee and I expedited confirmations of three of his nominees to this same court—three, not just allowing two to go through, as my friends on the other side of the aisle are today—and not having to wait for months and months. Those three were confirmed by voice vote. So you know how long it took, we had reported them out of the Judiciary Committee the day before. They were confirmed along with 7 other district court nominees for a total of 10 that day. We got them out of committee and voted them by voice vote. But now we have seven judicial nominees on the calendar, and Republicans are only allowing us to vote on two of them.

This is just the latest example of Senate Republicans insisting that President Obama play by a different set of rules than they had for President Bush. It was perfectly fine to expedite President Bush's three nominees to the Eastern District of Pennsylvania and to confirm them all on the same day, along with seven others. We had Democratic control of the Senate, and we moved them that way. But now with President Obama they refuse to proceed with the seven nominees who are pending on the Calendar. They will not even proceed with the three judicial nominees needed in the Eastern District of Pennsylvania.

So let's not talk about how Presidents are treated. I am not sure what it is that is different about President Obama, but his nominees get delayed, delayed, and delayed, unlike—and I use Pennsylvania as an example—where we vote out three, unanimously, of President Bush's nominees on one day and confirm them by voice vote the next day, along with seven others. Here they are refusing to proceed with the seven

nominees on the Calendar. They will not even proceed with all three of the judicial nominees for the Eastern District of Pennsylvania. There are currently seven vacancies on that court—seven. The Eastern District of Pennsylvania needs judges.

Like the two nominees we will be permitted to vote on today, Judge Restrepo has the support of his Republican home State Senator as well as every single Republican member of the Judiciary Committee. So let's not make him and the people of Pennsylvania wait.

Frankly, there is no good reason Nitza Quiñones Alejandro and Jeffrey Schmehl should have waited this long for a vote. There is no good reason why, when half of President Bush's consensus district nominees waited 18 days or fewer after being sent to the Senate by the Judiciary Committee during his first term, these consensus nominees should have had to wait almost 100 days. This contributes to the unprecedented delays and obstruction of President Obama's consensus judicial nominees.

I read comments last week by Judge James Brady of the Middle District of Louisiana expressing concern about what has happened to the judicial confirmation process. Shelly Dick was confirmed this year to that court after months of delay, and the Advocate article noted the "strain the empty judgeship had on a district overburdened with cases." Judge Brady was quoted saying of the confirmation process: "It's just crazy, and we need to do something about that." I could not agree more. Judge Brady added that the delays in the process are "driving away a lot of really good folks that would make excellent judges because they're saying, 'I don't need to go through that process and be in limbo for 18, 20, 24 months.' That's something I'm very, very concerned about." We should all share that concern, especially Senators who are looking for district nominees to recommend to the President. I ask that this article, entitled "Nomination Delays Hurting Courts, Federal Judge Says," be printed in the RECORD at the conclusion of my statement.

The recent assertion by Senate Republicans that 99 percent of President Obama's nominees have been confirmed is just not accurate. He has nominated 237 individuals to be circuit or district judges, and 193 have been confirmed. That is 81 percent. By way of comparison, at the same point in President Bush's second term, June 13 of his fifth year in office, President Bush had nominated four fewer people, but had seen 214 of them confirmed, or 92 percent. That is an apples to apples comparison, and it demonstrates the undeniable fact that the Senate has confirmed a lower number and lower percentage of President Obama's nominees than President Bush's nominees at the same time in their presidencies.

I noted at the end of last year while Senate Republicans were insisting on

delaying confirmations of 15 judicial nominees that could and should have taken place then, and that we would not likely be allowed to complete work on them until May. That was precisely the Republican plan. So when Senate Republicans now seek to claim credit for their confirmations in President Obama's second term, they are falsely inflating the confirmation statistics. The truth is that only seven confirmations have taken place this year that are not attributable to those nominations they held over from last year and that could and should have taken place last year. To return to the baseball analogy, if a baseball player goes 0-for-9, and then gets a hit, we do not say he is an all-star because he is batting 1.000 in his last at bat. We recognize that he is just 1-for-10, and not a very good hitter. Nor would a fair calculation of hits or home runs allow a player to credit those that occurred in one game or season to the next because it would make his stats look better.

I was Chairman of the Judiciary Committee for 17 months during President Bush's first term, so I know something about how President Bush's nominees were treated. During those 17 months, 100 of them were confirmed. In the 31 months that Republicans controlled the Senate during President Bush's first term, 105 of his circuit and district nominees were confirmed. That is, it took them almost twice as long to make as much progress as I had as Chairman. Even when Senate Democrats were in the minority, we worked with the Republicans to bring the number of vacancies all the way down to 28. Vacancies have remained near or above 80 for 4 years during the Obama presidency. In the last 4 years, Senate Republicans have never let vacancies get below 72. At this point in the fifth year of the Bush presidency there were 44 vacancies. Today they remain almost double that amount. Despite Senate Republicans who make self-congratulatory statements about "progress" this year, we are not even keeping up with attrition. Vacancies have increased, not decreased, since the start of this year.

If President Obama's nominees were receiving the same treatment as President Bush's, Judge Srinivasan would have been the 210th confirmation, not the 193rd and vacancies would be far lower. The nonpartisan Congressional Research Service has noted that it will require 33 more district and circuit confirmations this year to match President Bush's 5-year total. Even with the confirmations finally concluded during the first 6 months of this year, Senate Republicans have still not allowed President Obama to match the record of President Bush's first term. Even with an extra 6 months, we are still a dozen confirmations behind where we were at the end of 2004.

In addition to the obstruction of circuit and district nominees, I am deeply concerned about the impact of sequestration on our Federal courts. I con-

tinue to hear from judges and legal professionals around the country who worry about the impact of these senseless budget cuts, and I share their concern. A recent evaluation of sequestration concluded: "Its impact on the operation of the [F]ederal courts will be devastating and longlasting." Sequestration will exacerbate the delays our courts already face due to persistent understaffing, both for civil and criminal cases. According to the Executive Summary of "FY 2013 Sequestration Impacts on the Federal Judiciary," "Delays in cases will harm individuals, small businesses, and corporations," while the "cuts to funding for drug testing, substance abuse and mental health treatment of federal defendants and offenders have also been made, increasing further the risk to public safety." I ask that the full summary be printed in the RECORD at the conclusion of my statement.

Judge Nitza Quiñones Alejandro has served as a judge on the Court of Common Pleas for the First Judicial District of Pennsylvania since 1991. Prior to being a judge, Judge Quiñones worked as a solo practitioner, a staff attorney with the U.S. Department of Veterans Affairs, an Attorney Advisor with the U.S. Department of Health and Human Services' Bureau of Hearings and Appeals, and a staff attorney at Community Legal Services, Inc. When confirmed, Judge Quiñones will be the first openly gay Latina judge to serve on the Federal bench. Judge Quiñones was also Pennsylvania's first Latina judge.

Judge Jeffrey Schmehl currently serves as the President Judge in Berks County, where he has been an active member of the bench since 1997. Prior to becoming a judge, Judge Schmehl served in various capacities in private practice, including as an associate and partner at Rhoda, Stoudt & Bradley and as a solo practitioner at the Law Offices of Jeffrey L. Schmehl, Esq. While working in private practice, Judge Schmehl was also a Berks County Solicitor from 1989 to 1997. In addition to his experience in private practice, Judge Schmehl has served as an assistant district attorney and as an assistant public defender for Berks County.

I want the Senate to make real progress on filling judicial vacancies so that the American people have access to justice. Before the recess, the minority leader asked during a floor debate when Gregory Phillips, the Wyoming nominee to the Tenth Circuit, would receive a vote.

Majority Leader REID said: OK, let's vote on him right now.

They said: Well, we are not ready.

I hope the American people were watching, because there should be no ambiguity about this: The only reason the Senate is not voting today on Judge Restrepo, Attorney General Phillips, or the other seven judicial nominees pending on the Calendar is because of Republican refusal to allow

such votes. They could be voted on today. We ought to do it. These nominees deserve better, and the American people deserve better.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FY 2013 SEQUESTRATION IMPACTS ON THE
FEDERAL JUDICIARY

SEQUESTRATION AND THE FEDERAL JUDICIARY

On March 26, 2013, the President signed Public Law 113-6, the Consolidated and Further Continuing Appropriations Act of 2013, which provides full-year FY 2013 funding for the federal government, including the Judiciary. The bill leaves in place the government-wide sequestration cuts mandated under the Budget Control Act of 2011.

Sequestration reduces Judiciary funding overall by nearly \$350 million below the FY 2012 discretionary funding. The impact of sequestration on the Judiciary is compounded by the fact that the Judiciary has no control over its workload—the courts must react to the cases which it receives from the Executive Branch, individuals and businesses—overall, that workload has not declined. In addition, unlike most Executive Branch entities, the Judiciary has little flexibility to move funds between appropriations accounts to lessen the effects of sequestration. There are no lower-priority programs to reduce to transfer to other accounts.

IMPACT OF SEQUESTRATION ON THE COURTS

Sequestration places unprecedented pressure on the federal Judiciary's administration of justice. Its impact on the operation of the federal courts will be devastating and longlasting.

To mitigate the impact of sequestration on employees, the courts have slashed non-salary budgets (training, information technology, supplies and equipment), which is possible for one fiscal year, but cannot be sustained into future years. Even with these reductions, on a national level, up to 1,000 court employees could be laid off, or thousands of employees could face furloughs before the end of the year. These staffing losses will come on top of the nearly 2,200 probation officers and clerks office staff the courts have already lost since the end of July 2011.

Cuts in staffing will result in the slower processing of civil and bankruptcy cases. Delays in cases will harm individuals, small businesses, and corporations.

Sequestration has also reduced funding for probation and pretrial officer staffing throughout the courts, which means less deterrence, detection, and response to possible resumed criminal activity by federal defendants and offenders in the community. In addition, law enforcement funding to support GPS and other electronic monitoring of potentially dangerous defendants and offenders has been cut 20%. Equivalent cuts to funding for drug testing, substance abuse and mental health treatment of federal defendants and offenders have also been made, increasing further the risk to public safety.

Security systems and equipment in our Court Security program have been cut 25% and court security officers' hours have been reduced. These reductions come at a time of heightened security resulting from the prosecutor murders in Texas and the Boston bombings. A high level of security of judges, prosecutors, defense counsel, jurors and litigants entering our courthouses must be maintained.

IMPACT OF SEQUESTRATION ON
REPRESENTATION OF INDIGENT OFFENDERS

For Defender Services, incorporating enacted appropriations, offset by sequestration, results in a \$51 million shortfall in

funding below minimum requirements. This program has no flexibility to absorb such large cuts. It is almost totally comprised of compensation to federal defenders, rent, case related expenses (expert witnesses, interpreters, etc.), and payments to private panel attorneys. The only way to absorb the \$51 million shortfall is to reduce staffing or defer payments to private panel attorneys.

The Executive Committee examined all aspects of the account, scrubbed expenses where possible, and approved a spending plan that will result in federal defender offices having to cut staff and furlough employees an average of approximately 15 days. The approved spending plan will also halt payments to private panel attorneys for the last 15 business days of the fiscal year. This will shift these expenses to FY 2014, which were not considered as part of the Judiciary's FY 2014 budget request to Congress, and add to FY 2014 appropriation requirements.

The uncertainty of the availability of federal defender attorneys and the anticipated suspension of panel attorney payments will create the real possibility that panel attorneys may decline to accept Criminal Justice Act appointments in cases that otherwise would have been represented by FDOs. Delays in the cases moving forward may result in violations of constitutional and statutory speedy trial mandates resulting in criminal cases being dismissed.

Since all non-case related expenses in this account have already been reduced, the only solution to avoiding these impacts is for Congress to provide additional funds.

SUPPLEMENTAL APPROPRIATIONS

The Judiciary transmitted to the Office of Management and Budget and the Congress an FY 2013 emergency supplemental request that seeks \$72.9 million to mitigate the devastating impact of sequestration on defender services, probation and pretrial services offices, court staffing, and court security. The request includes \$31.5 million for the Courts' Salaries and Expenses account, and \$41.4 million for the Defender Services account.

Courts' Salaries and Expenses:

\$18.5 million will be used to avoid further staffing cuts and furloughs in clerks of court and probation and pretrial services offices during the fourth quarter of FY 2013. This funding will save the jobs of approximately 500 court employees and avoid 14,400 planned furlough days for 3,300 court employees.

\$13.0 million will restore half of the sequestration cuts to drug testing and substance abuse and mental health treatment services for defendants awaiting trial and offenders released from prison.

Defender Services:

\$27.7 million is required to avoid deferring payments to private attorneys for the last 15 business days (3 weeks) of the fiscal year.

\$8.7 million is needed to avoid further staffing cuts and furloughs in federal defender organizations during the fourth quarter of FY 2013. This funding will save the jobs of approximately 50 employees and avoid 9,600 planned furlough days for 1,700 federal defender organization employees.

\$5.0 million is for projected defense representation and related expert costs for high-threat trials, including high-threat cases in New York and Boston that, absent sequestration, the Defender Services program would have been able to absorb.

Executive branch agencies with criminal justice responsibilities have had the flexibility and resources to address their FY 2013 post-sequestration requirements. As a result, these agencies—which directly impact the workload of the Judiciary—have been able to avoid furloughs. The Judiciary has no such flexibility and instead must ask Congress to approve a supplemental appropriation.

COST CONTAINMENT IN THE JUDICIARY

Cost containment is not new to the Judiciary. In 2004, as a result of an unexpected shortfall in funding, the Judicial Conference endorsed a cost containment strategy that called for examining more than 50 court operations for reducing expenses. Since then, the Judiciary has focused on three that have the greatest potential for significant long-term savings: rent, personnel expenses, and information technology. To date, the Judiciary has cut costs by \$1.1 billion.

The Judiciary's approach to cost containment is to continuously challenge our ways of doing business and to identify, wherever possible, ways to economize even further. This can be a painful process as we are often proposing changes to long established Judiciary customs and practices and we sometimes face opposition from within. But we are committed to doing everything we can to conserve resources and be good stewards of the taxpayers' money.

While cost containment has been helpful during the last several years of flat budgets, it will not come close to offsetting the major reductions we face from sequestration.

NOMINATION DELAYS HURTING COURTS,
FEDERAL JUDGE SAYS

(By Jim Mustian, Advocate staff writer)

LONG DELAYS DRIVE AWAY NOMINEES

U.S. District Judge James J. Brady spoke out Monday against the increasingly glacial pace of judicial nominations, calling on U.S. Senate leaders to "come to their senses" and recognize the toll a vacant bench has on the court system.

"It's just crazy, and we need to do something about that," said Brady, who sits in the Middle District of Louisiana in Baton Rouge. "What's happening, in my mind, is we're driving away a lot of really good folks that would make excellent judges because they're saying, 'I don't need to go through that process and be in limbo for 18, 20, 24 months.' That's something I'm very, very concerned about."

Brady's remarks, made to more than two dozen people attending a Catholic Community Radio luncheon, came less than a month after Baton Rouge attorney Shelly Dick was confirmed as the Middle District's first female federal judge more than a year after being nominated by President Barack Obama.

Dick's nomination was initially blocked by U.S. Sen. David Vitter, who had been holding out hope that Obama would lose to Republican presidential nominee Mitt Romney. Vitter, R-La., who said at the time he wanted to "let the people speak," later withdrew his block and backed Dick's confirmation after Obama won re-election months later.

Brady did not refer specifically to the delays in Dick's confirmation, but he alluded to the strain the empty judgeship had on a district overburdened with cases. Dick already has been assigned nearly a third of the district's 877 pending civil cases, Brady said.

The federal Middle District of Louisiana includes the parishes of East Baton Rouge, West Baton Rouge, East Feliciana, West Feliciana, Pointe Coupee, Iberville, Ascension, Livingston and St. Helena.

"Getting a third judge has been a real relief for us," Brady said. "It helps people get their cases decided much more promptly and, I think, in a much better fashion."

Delays in judicial nominations due to political differences have become increasingly common in recent years. During Obama's first term, the average wait time from nomination to confirmation was more than six months for nominees to circuit and district court judgeships, according to a recent report by the Congressional Research Service.

"It's gotten to be now that it's almost like you're going to paint a big bullseye on anyone who's nominated as a federal judge," said Brady, whose own confirmation in 2000 took a little less than a year.

Then-President Bill Clinton nominated Brady for the judgeship.

Brady suggested that concerns over district court nominees are often overblown, noting he and his colleagues adhere to parameters set forth by the higher circuit courts and U.S. Supreme Court.

"I don't care if you're a Democratic appointee or a Republican appointee, you're going to follow those laws, the precedents that those courts have set," Brady said. "I don't know of anyone that deliberately goes out and tries to rule against those precedents."

Brady's remarks were unusual for a federal judge but were prompted by the "unusual times" gripping the federal courts, said Carl W. Tobias, a University of Richmond law professor who is an expert on judicial nominations.

"An increasing number of judges and other people are very concerned about the (nomination) process and how long it takes to move people through it," Tobias said. "You have Exhibit A with Shelly Dick right there in Baton Rouge."

Tobias said he was glad to hear of Brady speaking publicly about the issue.

"I think it's important for people to understand what's going on, and nobody knows better than the judges," he said. "They have to live with it."

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I urge my colleagues to vote for the nominees who are before the Senate today.

At this point in President Obama's term, when we get done with these two today, we will have approved 195 of the President's judicial appointments, and we have only disapproved 2. That is a 99-plus percent voting record.

It would help if the President would speed up getting his nominees to the Senate. There are 81 vacancies now. The President has only submitted 29. That means there are 52 vacancies that could be filled by the White House that the Senate would have an opportunity to work on as well.

So far this year, the Senate has confirmed 22 lower court nominees. Today, after these nominees are confirmed, we will have confirmed more than twice the number of district and circuit judges that were confirmed at this point in President Bush's second term. In fact, we will have confirmed more lower-court nominees than were confirmed in the entire first year of President Bush's second term.

Think about that—I will repeat it. In the 5 months of this President's second term while we have been in session, we have confirmed more district and circuit judges than were confirmed in the entire first year of President Bush's second term.

The bottom line is that the Senate is processing the President's nominees exceptionally fairly. He is being treated much more fairly than Senate Democrats treated President Bush in 2005.

So I just wanted to set the record straight before we vote on these nominees. I expect they will both be confirmed and I congratulate them on their confirmations.

Judge Quiñones received her B.B.A. from the University of Puerto Rico in 1972 and her J.D. from the University of Puerto Rico School of Law in 1975. Upon graduation, she worked as a staff attorney with Community Legal Services in Philadelphia, where she focused on strictly civil and administrative matters, appearing predominately in family court and before administrative judges.

From 1977 to 1979, Judge Quiñones wrote opinions in support of decisions rendered by an Administrative Judge at the Department of Health & Human Services. From 1979 to 1991, she was a staff attorney at the Department of Veterans Affairs, VA, where her practice involved the interpretation and application of the VA's administrative rules and regulations. During this time, she also appeared in State court and administrative agencies to represent the VA before the Equal Employment Opportunity Commission and Merit Systems Protection Board. Additionally, from 1980 to 1991, Quiñones worked as an arbitrator for the Arbitration Center at the Philadelphia Court of Common Pleas, designed to dispose of small civil cases. In 1991, Judge Quiñones left the VA and established a solo practice. During this time she represented a criminal defendant and sat as an arbitrator in insurance matters.

As a practicing attorney, Judge Quiñones appeared in court with occasional frequency. She estimates that over the course of her pre-judicial career, she tried 20 cases in family court, 300 commitment hearings before a Mental Health officer, pursuant to her work at the VA, and 600 administrative hearings.

In 1990, Judge Quiñones was nominated by then Governor Robert Casey to a judgeship on the Court of Common Pleas for the First Judicial District of Pennsylvania, a court of general jurisdiction. She was confirmed, but also engaged in a judicial election, and secured the first of three 10-year terms in 1992. She won the later terms in November 2001 and 2011.

Judge Quiñones has experience in both criminal and civil divisions, has presided over both jury and nonjury trials, and has supervised nearly every step in the trial process. Judge Quiñones has presided over approximately 1,500 criminal trials and 300 civil trials.

The American Bar Association's Standing Committee on the Federal Judiciary gave her a Majority "Qualified" and Minority "Not Qualified" rating.

Judge Schmehl received his B.A. from Dickinson College in 1977 and his J.D. from University of Toledo School of Law in 1980. Early in his career, he focused on criminal law, first as an As-

sistant Public Defender, then as an Assistant District Attorney. In these capacities, he tried all types of criminal cases, from DUI to murder. During his time as Assistant District Attorney, Judge Schmehl also had his own private civil practice, handling wills, estates, real estate matters, workers' compensation cases, and unemployment compensation cases.

In 1986, Judge Schmehl left private practice and the District Attorney's office to join the private law firm Rhoda, Stoudt, & Bradley. There he worked on insurance defense work and plaintiffs' personal injury cases. As a practicing attorney, he has tried approximately 200 cases to verdict, judgment, or final decision, serving as sole counsel or chief counsel in almost all of them.

In 1997, Judge Schmehl was nominated by both the Democratic and Republican parties for a judicial position in the Berks County Court of Common Pleas and later elected to the bench. In 2007, he was appointed to a 5-year term as President Judge in the same court and remains there today. Judge Schmehl has presided over approximately 180 cases that have gone to verdict.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a majority "Well Qualified" and minority "Qualified" rating.

I also am going to take a couple minutes to discuss something I would have discussed in the Judiciary Committee meeting this morning, but because of our vote I was not able to do it.

First, I want to talk about the nominations hearing we had earlier this week on B. Todd Jones.

There is an open investigation in the Office of Special Counsel regarding very troubling allegations that Mr. Jones retaliated against a whistleblower in the U.S. Attorney's Office.

He is now up for confirmation for the Bureau of Alcohol, Tobacco, and Firearms.

Mr. President, how much time remains until the vote?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. GRASSLEY. Last week Carolyn Lerner, the special counsel who leads the office, wrote us a letter explaining the status of the matter. She wrote that the parties had agreed to participate in mediation. She also wrote, "If mediation is unsuccessful, the case would return to the Office of Special Counsel's Investigation Prosecution Division for further investigation."

On Monday, she wrote us another letter confirming that the case was still open. We were told the reason we had to move forward with the hearing was because an April letter from the Office of Special Counsel was made public. The justification for holding the hearing was since that issue was made public, the nominee should have had an opportunity to respond at the hearing.

But, of course, there was nothing confidential in the Office of Special

Counsel's letter. I am not about to hide this issue from the public. It is relevant to our inquiry as to the qualifications of the nominee. Moving forward under these circumstances is not consistent with past committee practices. Of course, there are sensible reasons for that committee practice.

First, none of us knows what the results of that investigation might be. How are we supposed to make an assessment of the matter while it is still open? Second, how are we supposed to ask the nominee about the results of the investigation when the investigation has not been completed? And, third, how are we supposed to ask the nominee about an open investigation when the nominee will claim he cannot talk about it for that exact reason?

I would also note that an assistant U.S. attorney who filed the complaint against Mr. Jones gave his consent on Monday for the Office of Special Counsel to provide the complaint to the committee. I must say the allegations in the complaint are extremely troubling. So I began my questions by asking Mr. Jones about these allegations.

Here is what he had to say:

Because those complaints are confidential as a matter of law I have not seen the substance of the complaints nor can I comment on what they are. I have learned more from your statement today—

meaning, from this Senator,

than what I knew before I came here this morning about the nature and substance in the complaints.

In other words, Mr. Jones said he could not answer questions about the Office of Special Counsel investigation because it remains open. This is precisely why it is imprudent to move forward with a hearing in this way. At his hearing, I followed up with another question to Mr. Jones, had he ever taken adverse personnel action? He responded:

I'm not familiar with the OSC complaint. I'm at somewhat of a disadvantage with the facts. I can say that the privacy act considerations do fit into the picture.

As another followup, I asked him how we were supposed to ask about the complaint if he would not answer it. Here is what Mr. Jones said:

Well, quite frankly, Senator, I'm at a disadvantage with the facts. There is a process in place. I have not seen the OSC complaints.

So we have a problem.

So again, even though there is an open investigation, we were told we were going forward with the hearing so that Mr. Jones had an opportunity to answer the allegations. But whenever he was asked about it, he said he could not answer our questions because he had not seen the Complaint.

So, my point about the hearing being premature was overwhelmingly proven.

I also want to make a few comments about Tony West, nominated to be the Associate Attorney General. He is currently the Acting-Associate Attorney General and has generally done a good job. However, I remain concerned about his time serving as the Assistant Attorney General for the Civil Division.

He was involved in the quid pro quo deal between the Department and the City of St. Paul, Minnesota that was orchestrated by Assistant Attorney General Tom Perez. That quid pro quo involved the Department agreeing to decline two False Claims Act cases pending against the City of St. Paul in exchange for the City dropping a case pending before the Supreme Court.

Perhaps the most concerning part to me is that Mr. West essentially let Tom Perez take control of the Civil Division and cut this deal which hurt the whistleblower, Frederick Newell, leaving him to fight his case all alone. This is not how I expect the Department to treat good faith whistleblowers.

On top of all that, I believe it is contrary to the assurances that I was given by Mr. West that he would protect whistleblowers and vigorously enforce the False Claims Act when we held his confirmation hearing in 2009. If this nominee is ultimately confirmed, I sincerely hope he does not let politics within the Department control, instead of supporting good faith whistleblowers who stick their necks out.

I also wanted to address the nomination of Ms. Caproni, to be a District Judge. I have concerns over the fact that I made a request to the FBI over 6 years ago, asking for documents regarding exigent letters. In March 2007, Chairman LEAHY and I requested copies of unclassified emails related to the use of National Security Letters issued by the FBI.

I only received a few of these emails, and they were heavily redacted, so in 2008 I asked for the rest. Ms. Caproni, was general counsel of the FBI at the time and told me that the documents I was waiting for were on her desk, awaiting her review.

Well, it is now 2013 and as of her hearing, I had never received these documents.

I asked Ms. Caproni about this in her hearing and she had no specific recollection of this request. So, I asked her again in writing. This led to a set of FOIA documents being produced, which are a poor substitute for properly answering a committee request. It also raises further questions as to why it took 6 years and why Ms. Caproni told me years ago that she was working on responding to our request.

I have followed up with the FBI with specific requests regarding Ms. Caproni's involvement in the matter. Therefore, while I did not hold Ms. Caproni's nomination in committee, I reserve my right to do so on the Senate floor.

Concerning S. 394, the metal theft bill that we reported out this morning, I appreciate the changes that the sponsors made at my request to the criminal portion of the bill. The nature of the offense is clarified, and limited to the federal interest of critical infrastructure.

The bill also now requires criminal intent as an element of the proposed offense. The negligence standard in the bill has been eliminated.

However, I still have a number of concerns with this bill. The reality is that theft is already illegal everywhere in the country.

So is receipt of stolen goods. That raises questions about the necessity of a new federal offense.

The civil provisions are also duplicative of many State laws. The regulatory elements of this bill apply to any transaction in specified metal products exceeding \$100. In my opinion, \$100 seems to be a very low threshold.

We should not impose federal obligations unless the transaction is of a significant amount.

States can enforce their own laws if they have enacted a lower threshold.

Some of the recordkeeping requirements are of questionable value. For instance, the recipient must record the license plate number and make of the car used to deliver the metal.

Although the sponsors agreed to reduce the maximum amount, the dealer still faces up to a \$5,000 penalty if he knowingly commits a paperwork violation, unless it is minor. This is true even if the metal is not stolen. That strikes me as excessive.

And the sponsors declined to accept the changes that I sought in the civil provision, especially as enforced by the state attorneys general.

Those provisions effectively allow a private right of action, even a class action, to enforce these paperwork violations at up to \$5,000 per violation.

Not only can federal authorities enforce the bill's civil authorities, but so can the States. If metal theft continues, then that diffuse authority undermines the ability of citizens to hold accountable the responsible level of government.

This would allow the States to bring these cases in friendly State courts and expand the number of cases by outsourcing them to private lawyers paid under contingency fees.

This leads to more enforcement than would occur if these cases had to compete for attention with other priorities that state attorneys general would bring.

Excessive government can derive not only from broad laws, but from overzealous enforcement. The bill sponsors rejected my request that suits by the State AGs be filed only in federal court, and that any federal actions would supersede them.

There should be transparency and accountability for these lawsuits that are brought under authority of federal law.

I had amendments to discuss in markup, but will not do that here. However, when the full Senate takes up the bill, I will not be able to support it in its current form. I hope to work with the sponsors to address the concerns I have with this bill.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Nitza I. Quiñones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

The nomination was confirmed.

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 149 Ex.]

YEAS—100

Alexander	Flake	Murkowski
Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Graham	Nelson
Baucus	Grassley	Paul
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johanns	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Johnson (WI)	Sessions
Chiesa	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)
Cowan	Manchin	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Feinstein	Mikulski	
Fischer	Moran	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are made and laid on the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, Senate resumes legislative session.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Madam President, I ask unanimous consent that I be recognized to speak for up to 5 minutes in order to call up my amendment, that Senator VITTER then be recognized for up to 8 minutes in order to call up his amendment, and then Senator HIRONO be recognized to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1198

Mr. TESTER. Madam President, I call up amendment No. 1198.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Montana [Mr. TESTER] proposes an amendment numbered 1198.

The amendment is as follows:

(Purpose: To modify the Border Oversight Task Force to include tribal government officials)

On page 922, line 13, insert “and tribal” after “border”.

On page 923, line 9, strike “29” and insert “33”.

On page 923, line 15, strike “12” and insert “14”.

On page 923, between lines 20 and 21, insert the following:

(III) 2 tribal government officials;

On page 924, line 7, strike “17” and insert “19”.

On page 924, between lines 12 and 13, insert the following:

(III) 2 tribal government officials;

On page 925, line 8, strike “14” and insert “16”.

Mr. TESTER. Madam President, I am proud to be joined by Senators MURKOWSKI, CRAPO, and MURRAY in offering this bipartisan amendment. Border security is one of the most important aspects of this bill, and on both sides of the border, especially the northern border, the only way to secure the border is to involve State, local, and tribal law enforcement in that effort. Native-American lands and people are a vital but, unfortunately, an often overlooked part of our border security plan. A chain is only as strong as its weakest link. Right now, drug smuggling and trafficking in persons is happening on Indian reservations on our border, moving virtually unnoticed into America. The problem, as the GAO told me in a recent report on this very topic, is a lack of communication and coordination between tribal and U.S. border officials.

This amendment adds four tribal voices to the Department of Homeland Security Task Force, two from the northern border region and two from the southern border region. As drafted, this task force included border security experts from various government entities and is responsible for solving problems related to border security. But somehow the tribal perspective was left out. Yet in Montana, the Blackfeet Reservation is bigger than the entire State of Delaware and it directly borders Canada for 50 miles. The Fort Peck Reservation sits less than 30 miles from the Canadian border. This amendment will increase communication and improve coordination between the Federal and tribal governments that it relies on to secure these borders. Adding a tribal representative to that task force is the right thing to do and it is just plain common sense.

I urge my colleagues to support it, and I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Louisiana.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1228.

Mr. VITTER. I ask unanimous consent to waive reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the amendment is printed in the RECORD of June 12, 2013, under “Text of Amendments.”

Mr. VITTER. Mr. President, this amendment was in the group of four that was the subject of the previous unanimous consent so I look forward to an ongoing debate and vote on this amendment, hopefully early next week, because we need to start voting on this topic and on amendments to this bill. The amendment is simple and in my opinion very important. It would mandate finally that we have an operational US-VISIT system to track visas coming into the country and exiting the country to guard against visa overstays.

This is an important part of security and enforcement, but one that is not talked about enough. We always talk about the border, as we should. We often talk about workplace enforcement, as we should. That is extremely important. This is the third leg of the stool that we do not talk about enough but we need to focus on because this goes to our national security as well as border security.

The 9/11 terrorists all were individuals who came into this country legally, with a visa, but what happened? They overstayed their visa by a lot and they plotted to kill and destroy, which unfortunately they successfully did on 9/11. Because of that, one of the top recommendations of the 9/11 Commission was to implement this visa entry-exit system using biometric data. We call the system that has been developed the US-VISIT system. The problem is full implementation of the US-VISIT system has never come close to occurring as the 9/11 Commission recommended that it be executed.

This amendment says simply we are finally going to do it. We have talked about it for years. We have lived through actual terrorist attacks that go to the heart of this need. The 9/11 Commission has rated it as a top recommendation, so we are finally going to do it. We are not going to move on to changing the legal status of current illegals in this country under this bill until we do it and until we verify that it has been done. That is a very simple idea.

I look forward to a continuing debate on this need, on this amendment, and a vote on this amendment early next week.

Second, I also want to mention a point of order I will be making on this underlying bill as soon as possible, hopefully also early next week. The point of order is simple. It is a point of order against the emergency designation provision contained in the bill in

AMENDMENT NO. 1228

Mr. VITTER. Mr. President, I call up to my pending amendment No. 1228.

section (d)(1). It is pursuant to section 403(e) of the fiscal year 2010 budget resolution.

We all consider spending and debt a big problem in this country. We put enormous focus and energy and debate and discussion on that issue. The problem is so often, after we set budget caps, after we set these limits with the very serious spending and debt issue in mind, whenever a big bill comes up they bust the caps. We put a so-called emergency designation on the spending and all of a sudden, like that, with that simple phrase we exempt that entire bill from the spending caps, from the provisions we have put in place to try to get spending and debt under control.

This immigration reform bill is another example of that because it would spend \$8.3 billion and it calls all of that spending emergency spending. That is a sleight of hand. That is avoiding the caps and the limits we have tried to put in place to begin to rein in spending and debt.

This is not an emergency in any reasonable sense of the term. This is not an unforeseen storm. This is not an unpredicted earthquake. This is not an unpredicted attack on our country from a foreign power. This is a problem, for sure, but we have annual spending bills and a whole department of government that is supposed to be about this problem—the Department of Homeland Security. We have an annual Department of Homeland Security appropriations bill, so this is not something unforeseen, a true emergency. To call this \$8.3 billion emergency spending is a pure sleight of hand to avoid the discipline of the spending caps.

At least on my side of the aisle, when this exact same point of order has been made before on many other bills, we have upheld it. We have said: You are right, this is a sleight of hand. You are right, this is an end run around those budget provisions. You are right, this is just busting the budget cap by another name.

We should do the same here. We should respect the budget law. We should not do an end run around the budget caps. We should not essentially lie to the American people and say this is unforeseen, this is a true emergency, when it is not.

I will be raising this very important budget point of order regarding the emergency designation of \$8.3 billion of spending in the bill at the earliest possible opportunity, when it is in order. I expect that to be early next week as well.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. VITTER. Yes, I withhold the quorum call.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I believe hope and fairness lie at the core of what makes our country great. Fifty years ago, President Kennedy called on

the country to embrace civil rights legislation that would end the unfair treatment of millions of people as second-class citizens. Congress responded, and the country is better for it. This week, we in the Senate are debating comprehensive immigration reform legislation that gives hope to the millions of undocumented people who live in this country that they will be able to emerge from the shadows and live full lives. It is our time to act. We should pass this important legislation.

I thank the Gang of 8, and their staff, for their hard work negotiating the bill and getting it through committee and onto the floor. They have set an example of bipartisanship on a tough issue that is all too rare these days.

I also thank Senator LEAHY, and his staff, for his able leadership during the markup. It was a remarkably open and fair process, full of principled debate. That is how the Senate should work.

Their hard work, and that of others, has produced the bill that is before us.

Many senators have already spoken about what is in the bill: the billions of dollars for border security, the tough employment eligibility verification requirements, the pro-tourism policies, and the path to citizenship.

Rather than cover that ground again, I want to talk about two problems with the bill that I hope can be fixed: first, the system designed for future immigration is unfair to women; and second, the pathway to citizenship is unfair to immigrant taxpayers.

The new merit-based point system for allocating visas to future immigrants is the first problem. Simply put, the point system inadvertently makes it harder for women than for men to come to this country.

The new point system is based on an attractive economic idea, but unfortunately one that clearly disadvantages women. The idea is if we want a stronger economy, then we should give immigration preferences to people who hold advanced degrees or work in high-skill jobs.

This idea ignores the discrimination women endure in other countries. Women in too many other countries do not have the same education or career advancement opportunities available to men in those countries. In practice, the bill's new point system takes that discriminatory treatment abroad and cements it into our immigration laws, making it harder for women to come to our country than for men.

While unintentional in this case, the idea that we want to attract the most educated and skilled people but they just happen to be mostly men is the same argument used for generations to protect gender discrimination in our work places. We all want a stronger economy, but we should not sacrifice the hard-won victories of the women's equality movement to get it.

By contrast, the current family immigration system treats men and women equally. The current system is based on keeping families together.

That system reflects our shared values about the social importance of family. My family and millions of others also know the family system makes good economic sense.

Anyone, whether an immigrant or natural-born citizen, has a better chance of being successful if they are surrounded by a strong family that can pool its resources to help start a business or to help one another during tough times. In many families aunts and uncles, parents and grandparents, even brothers and sisters, use part of their paychecks every week to help a young man or a young woman in their family pay for college and take one step closer to that American dream. That is how it worked in my family.

My mother brought my brothers and me to this country to escape an abusive marriage at the hands of my father. My mother raised me and my brothers as a single parent, and times were tough for us. But with the help of my grandparents, who later joined us, I was able to learn English and succeed in school. The amazing thing about this country is millions of families have stories like mine.

If I had not been able to come to this country, who knows where I would be today. But I know I would never have had the kind of opportunities given to me by this great country of ours. I want other women to have those chances too.

The biggest losers in this bill's new point system will be unmarried sisters of U.S. citizens. Why? Because the new system not only makes it harder for women to immigrate here, but it eliminates visas for siblings of U.S. citizens while allowing new immigrants to bring their spouses. What this means is a woman who aspires to live with her family and work in the greatest country in the world should not have to get married to do that.

The future immigration system in the bill needs to be modified to give unmarried women more opportunities to come here. There is more than one way to fix this problem. One solution could be to restore the sibling category. I will file an amendment to do that. Another solution could be to modify the point system in the bill. I am working with other Senators on an amendment to do that, which I hope will be ready soon.

The second problem in this bill that needs to be fixed is how it treats immigrant taxpayers. Make no mistake, immigrants pay taxes. A study released in May by researchers at Harvard and the City University of New York found that immigrants contributed \$115.2 billion more to Medicare than they took out between 2002 and 2009.

Even undocumented immigrants pay taxes. A 2006 survey by UC-San Diego showed that 75 percent of undocumented immigrants had taxes withheld from their paychecks, filed tax returns, or both. The Social Security Administration estimates undocumented immigrants have contributed between \$120

and \$240 billion to the Social Security trust fund.

I have a fact sheet with citations of several studies about immigrant taxpayers, and I ask unanimous consent that this fact sheet be printed in the RECORD following my remarks.

The bill makes clear that immigrants on the pathway to citizenship have to continue working, paying taxes and other penalties, and meeting other requirements. In fact, they have to do all of this before they can even start on the path to citizenship.

The Social Security Administration estimates the tax requirements in this bill will raise more than \$300 billion in payroll taxes alone. The general fund will also receive more in tax revenues. Although we have not yet seen CBO's official score, in all likelihood the Treasury Department will collect billions more in revenue for the general fund from these immigrants.

In his written testimony to the Senate Judiciary Committee on April 22, 2013, Grover Norquist pointed out that once immigrants have lawful status and work authorization, they will be able to get better jobs and contribute even more to the funding of Federal programs. He wrote that after the 1986 immigration law was enacted, "their incomes rose by an average of 15 percent just by gaining legal status. Those immigrants today are making much more than they did then and, as a result, paying more in taxes."

My point is immigrant taxpayers contribute to the funding of not only Medicare and Social Security, but of all Federal programs. No one disputes that it should be this way. Immigrants on the pathway must pay taxes, just like everyone else. The strict tax requirements in the bill are the right policy.

What is wrong are the policies in the bill that prohibit immigrant taxpayers who are on the pathway from being able to use Federal safety net programs for at least 13 years. Their taxes pay for these programs, but they cannot use these programs; that is profoundly unfair. Imagine a person buys homeowner's insurance, but the policy won't cover their house if it catches fire until 13 years after they started paying their premiums. That is obviously not fair, but that is exactly the situation in which we are putting immigrants who are on the pathway to citizenship.

Yesterday, the senior Senator from Utah spoke on the floor about several amendments he filed to further restrict immigrant taxpayers' access to the programs their tax dollars pay for. He said:

I don't want to punish these immigrants. I simply want to make sure they are treated no better or no worse than U.S. citizens and resident aliens with respect to federal benefits and taxes.

I have the greatest respect for the senior Senator from Utah. I agree with him that these immigrants should be treated no worse than U.S. citizens and resident aliens, but they are not being

treated that way. They are being treated worse because of the restrictions in this bill.

Under current law, immigrant taxpayers who are resident aliens cannot use the Federal safety net programs they pay into for 5 years. Their taxes are paid into the system for 5 years, but they get no help during that time if their kids get sick or if they lose their jobs. That is already unfair, but the bill treats immigrants on provisional status even worse. They have to pay taxes for 13 years before they can use the programs they are paying for.

The 13-year-long pathway to citizenship will be hard enough. If they lose their job, they risk losing their legal status and being deported, work hard to save up money, not just for the kids' school supplies but to pay the penalties under this bill. The restrictions on Federal safety net programs make their pathway even more treacherous.

We are saying to these immigrants: Pay your taxes, but if your kids get sick, don't come to us for help. We are saying: Pay your taxes, but if you have to work part time because of a recession, don't come to us if you need some help putting food on the table. We are saying: Pay your taxes, but we are not going to help you. That is not fair.

I want to be clear: I am talking only about immigrants who will be lawfully present. Undocumented immigrants are not eligible for these programs at all and no one is proposing to change that, but the pathway provides a way for certain people to earn lawful status. Let's treat lawfully present taxpayers fairly, including those on the pathway. Let's do as the Senator from Utah suggests and at the very least make sure they are treated no worse than U.S. citizens or resident aliens.

Finally, not only are the prohibitions in the bill unfair to immigrant taxpayers, they are also bad economics. Both Republican and Democratic Senators say they want immigrants to be successful, start businesses, and continue contributing to the economy. We all do. But few people would use their life savings to start a business if they think their children will go hungry or go without health care if their business fails. The safety net programs exist so people can take risks to improve their economic circumstances.

Immigrants come to this country to work. They don't come to get handouts. They come here to work. Two papers from the Cato Institute show that immigrants are more likely to be working or looking for work than natural-born citizens. Immigrants are less likely to use Federal safety net programs.

The title of one Cato article sums it up nicely: "Evidence Shows Immigrants Come to Work, Not to Collect Welfare."

Mr. President, I ask unanimous consent that these two papers be printed in the RECORD following my remarks.

Both political parties should be able to support the idea that taxpayers who

are lawfully present, working, and paying taxes should be able to use the programs their taxes are paying for. That is only fair. I will file an amendment that says precisely that.

In closing, during the debates on immigration reform, I hope we remember who undocumented immigrants are. Like other immigrants, they had the courage and aspiration to leave their hometowns and all they knew to find work elsewhere in order to give their kids better lives than they could dream for themselves.

The undocumented should pay penalties for the laws they broke by coming here, but we should remember that our Founding Fathers were willing to break up an empire to achieve their dreams.

We are a Nation of immigrants. Let's treat immigrants how we would have wanted our immigrant ancestors to be treated—with dignity and forgiveness.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET ABOUT IMMIGRANT TAXPAYERS
AND THE HIRONO AMENDMENT

Imagine you buy homeowner's insurance, but the policy won't cover your house if it catches fire until 13 years after you start paying premiums.

That's the situation that millions of immigrants will find themselves under the immigration bill. Immigrants pay hundreds of billions of dollars in taxes that contribute to the funding of federal safety net programs like Medicaid, CHIP, and SNAP, but they are prohibited from using them. Current law prohibits legal immigrants from using these programs for five years. And the immigration bill prohibits immigrants on the path to citizenship from using these programs for at least 13 years. Thirteen years is an entire childhood.

It is unfair that immigrants pay for these programs but are prohibited from using them if they lose their job or if their kids get sick. If they pay for it, they should be able to use it. We should not treat immigrants as second class citizens.

The Hirono amendment simply states that a person who is lawfully present, working, and paying taxes, shall not be prohibited from using any federal programs or tax credits because of their immigration status.

Here are some facts about immigrant taxpayers:

Immigrants pay taxes. A study released in May by researchers at Harvard and the City University of New York found that immigrants are paying billions in taxes. ("Immigrants Contributed An Estimated \$115.2 Billion More to the Medicare Trust Fund Than They Took Out in 2002-2009," Health Affairs, May 2013)

Undocumented immigrants also pay taxes, both payroll taxes and income taxes. A 2006 study by UC San Diego found that "75 percent of undocumented immigrants had taxes withheld from their paychecks, filed tax returns, or both." (CBO report, "The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments," December 2007). The Social Security Administration estimated that undocumented immigrants contributed a net \$12 billion to the Social Security Trust Fund in 2010.

The path to citizenship will increase federal tax revenue. Immigrants will have to continue paying taxes, and legal status will allow them to move out of the shadows into

higher paying jobs. Grover Norquist's written testimony to the Senate Judiciary Committee on April 22, 2013: "After the legalization of immigrants during the Reagan amnesty, their incomes rose by an average 15 percent just by gaining legal status. Those immigrants today are making much more than they did then and, as a result, paying more in taxes." In a letter to Senator Rubio dated May 8, 2013, the Social Security Administration's Chief Actuary estimated the immigration reform bill will increase payroll tax collection by more than \$300 billion between 2014-2024.

Immigrants use federal safety net programs less often than natural born citizens, and when they use them their average costs are less than for natural born citizens. Immigrants are also more likely to be working or looking for work. See Cato Institute papers "Poor Immigrants Use Public Benefits at a Lower Rate than Poor Native-Born Citizens," March 2013 and "Evidence Shows Immigrants Come to Work, Not to Collect Welfare," August 2010.

Even Grover Norquist warns against believing "Baseless Criticisms" in flawed analyses about the costs of immigrants use of safety net programs. His written testimony cited above cautions against analyses that "exaggerat[e] public benefit costs by citing household costs, rather than individual immigrant costs" or "portray[] impossible levels of welfare use."

[From the Cato Institute, Mar. 4, 2013]

POOR IMMIGRANTS USE PUBLIC BENEFITS AT A LOWER RATE THAN POOR NATIVE-BORN CITIZENS

(By Leighton Ku and Brian Bruen)

Low-income immigrants use public benefits like Medicaid or the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program) at a lower rate than low-income native-born citizens.¹ Many immigrants are ineligible for public benefits because of their immigration status. Nonetheless, some claim that immigrants use more public benefits than the native born, creating a serious and unfair burden for citizens.² This analysis provides updated analysis of immigrant and native-born utilization of Medicaid, SNAP, cash assistance (Temporary Assistance for Needy Families and similar programs), and the Supplemental Security Income (SSI) program based on the most recent data from the Census Bureau's March 2012 Current Population Survey (CPS).

Low-income (family income below 200% of poverty line) non-citizen children and adults utilize Medicaid, SNAP, cash assistance, and SSI at a generally lower rate than comparable low-income native-born citizen children and adults, and the average value of public benefits received per person is generally lower for non-citizens than for natives. Because of the lower benefit utilization rates and the lower average benefit value for low-income non-citizen immigrants, the cost of public benefits to non-citizens is substantially less than the cost of equivalent benefits to the native-born.

BACKGROUND ON IMMIGRANTS IN THE UNITED STATES

About 40 million immigrants reside in the United States, comprising 12.9 percent of the total population.³ Of those immigrants, 43.8 percent are naturalized citizens and 56.3 percent are non-citizens—including undocumented immigrants.⁴ Immigrants are more likely to participate in the labor force,⁵ lack a high school degree,⁶ and to have incomes below the poverty line than the native-born.⁷ Immigrants begin with lower earnings but over time their incomes improve as they remain here.⁸

IMMIGRANT ELIGIBILITY FOR PUBLIC ASSISTANCE BENEFITS

Immigrants' eligibility for public benefits is based on specific aspects of their immigration status and state policies.⁹ Some key elements of the rules are:

Citizenship. Naturalized citizens and U.S.-born children in non-citizen families are citizens. They are fully eligible for public benefits like Medicaid, the Children's Health Insurance Program (CHIP), SNAP, cash assistance, and SSI, if they meet other program eligibility criteria.¹⁰

Refugees and Asylees. Immigrants granted refugee or asylee status are generally eligible for public benefits if they meet program eligibility criteria.

Lawful Permanent Residents. Lawful permanent residents (LPRs) must wait at least five years before they are eligible for benefits, but states have the option of providing them earlier.¹¹ After five years, LPRs are eligible for federal benefits if they meet the program eligibility criteria. As exceptions, LPR children have been eligible for SNAP benefits since 2003 and states have been able to restore Medicaid benefits for children and pregnant women since 2009.

Temporary/Provisional Immigrants. Temporary immigrants (e.g., work or student visa holders) are generally ineligible for public benefits, including the youth who are categorized as "Deferred Action for Childhood Arrivals."

Undocumented Immigrants. Undocumented immigrants are generally ineligible for the public assistance programs mentioned above.¹²

Immigrant-related eligibility restrictions do not apply to some programs, such as the National School Lunch Program, the Women, Infants and Children Nutrition Program (WIC), and Head Start.

The unit of assistance (benefits received on an individual or family basis) and eligibility varies across programs. For Medicaid, CHIP, and SSI, benefits are provided to individuals and eligibility is individually determined. Thus many U.S.-born children in immigrant families receive health insurance through Medicaid or CHIP, but their non-citizen parents do not. SNAP and cash assistance provide household-level benefits. In many immigrant families, some family members are ineligible non-citizen immigrants, so the household SNAP allotment or cash assistance check is reduced. For example, if a very poor three-person family is composed of two LPR parents who have been here for two years and an American-born child, the benefit level is computed only using the child, not the ineligible parents.

RESULTS

Medicaid/CHIP. Figure 1 shows that more than one-quarter of native citizens and naturalized citizens in poverty receive Medicaid, but only about one in five non-citizens do so. Figure 2 shows that about two-thirds of low-income citizen children receive health insurance through Medicaid or CHIP, while about half of non-citizen children do so. Low-income non-citizen immigrants are the least likely to receive Medicaid or CHIP.

A major reason for these gaps is strict benefit eligibility barriers for many immigrants. Benefit use by poor immigrants was low even before the 1996 welfare reform, suggesting that eligibility factors are not the only reason for low levels of benefit use by non-citizen immigrants.¹³

Figure 3 shows that immigrants who receive Medicaid or CHIP tend to have lower per beneficiary medical expenditures than native-born people, reducing the government cost of their benefits.¹⁴ Immigrant adults who received Medicaid or CHIP benefits in 2010 had annual expenditures about a quarter

lower than adult natives. Immigrant children had average annual Medicaid expenditures that were less than one-half those of native-born children. Generally, immigrants have lower per capita medical expenditures than the native-born, regardless of type of insurance.¹⁵

Supplemental Nutrition Assistance Program (SNAP). Figure 4 shows that among low-income adults, 33 percent of native citizens, 25 percent of naturalized citizens, and 29 percent of non-citizens received SNAP benefits in 2011.¹⁶ Figure 5 shows that about half of poor citizen children in citizen households receive SNAP, compared to about one-third of non-citizen children and two-fifths of citizen children in non-citizen-headed families. It is likely that the actual percentage of SNAP eligible non-citizen immigrants is even lower, but the gaps in the CPS data prevent us from knowing how large the gap is. Figure 6 shows that the average annual SNAP benefits per household member are about one-fifth lower for non-citizens than native adults or citizen children with citizen parents.

Cash Assistance and Supplemental Security Income (SSI). Figure 7 shows that the SSI receipt was higher for native and naturalized citizens than non-citizen immigrants.¹⁷ Figure 8 shows that children in households with non-citizen family members are less likely to be in households receiving cash assistance or SSI than citizen children living in full-citizen households.

Figure 9 shows that average annual cash assistance and SSI benefits for the native-born, naturalized, and non-citizens were very similar. In contrast, Figure 10 shows that the value of these benefits per household member was lowest for children living in non-citizen households. The cash assistance benefit for citizen children in non-citizen families was 13 percent lower, and the cash assistance for non-citizen children was 22 percent lower compared to citizen children with citizen parents. The average SSI benefit was 30 percent to 33 percent lower for children in non-citizen families and non-citizen children than for citizen children in citizen families.

COMPARING STUDIES

A study by the Center for Immigration Studies (CIS) found that immigrant-headed households with children used more Medicaid than native-headed households with children and had higher use of food assistance, but lower use of cash assistance.¹⁸ The CIS study did not examine the average value of benefits received per recipient.

There are several reasons why our study differs from CIS's study. First, CIS did not adjust for income, so the percent of immigrants receiving benefits is higher in their study in part because a greater percent of immigrants are low-income and, all else remaining equal, more eligible for benefits. Non-citizens are almost twice as likely to have low incomes compared with natives.¹⁹ We focus on low-income adults and children because public benefit programs are means-tested and intended for use by low-income people. It is conventional in analyses like these to focus on the low income because it reduces misinterpretations about benefit utilization.

Second, CIS focused on households headed by immigrants while we focus on individuals by immigration status. Our study focuses on individuals because immigrant-headed households often include both immigrants and citizens. Since citizen children constitute the bulk of children in immigrant-headed households and are eligible for benefits, CIS's method of using the immigrant-headed household as the unit of analysis systematically inflates immigrants' benefit usage. For example, 30 percent of U.S. children receiving Medicaid or CHIP benefits are

children in immigrant-headed families and 90 percent of those children are citizens.²⁰

Third, CIS focused on immigrants in general, including naturalized citizens, while we also included non-citizen immigrants. Naturalized citizens are accorded the same access to public benefits as native-born citizens and are more assimilated, meaning their opinions of benefit use are more similar to those of native born Americans. Separating non-citizens from naturalized Americans gives a clearer picture of which immigrant groups are actually receiving benefits.

CONCLUSION

Low-income non-citizen adults and children generally have lower rates of public benefit use than native-born adults or citizen children whose parents are also citizens. Moreover, when low-income non-citizens receive public benefits, the average value of benefits per recipient is almost always lower than for the native-born. For Medicaid, if there are 100 native-born adults, the annual cost of benefits would be about \$98,400, while for the same number of non-citizen adults the annual cost would be approximately \$57,200. The benefits cost of non-citizens is 42 percent below the cost of the native-born adults. For children, a comparable calculation for 100 non-citizens yields \$22,700 in costs, while 100 citizen children of citizen parents cost \$67,000 in benefits. The benefits cost of non-citizen children is 66 percent below the cost of benefits for citizen children of citizen parents.

The combined effect of lower utilization rates and lower average benefits means that the overall financial cost of providing public benefits to non-citizen immigrants and most naturalized immigrants is lower than for native-born people. Non-citizen immigrants receive fewer government benefits than similarly poor natives.

END NOTES

This is a condensed version of Leighton Ku and Brian Bruen, "The Use of Public Assistance Benefits by Citizens and Non-citizen Immigrants in the United States," Cato Working Paper, February 19, 2013, <http://www.cato.org/publications/working-paper/usepublic-assistance-benefits-citizens-non-citizen-immigrants-united>.

1. R. Capps, M. Fix, and E. Henderson, "Trends in Immigrants' Use of Public Assistance after Welfare Reform," in *Immigrants and Welfare: The Impact of Welfare Reform on America's Newcomers*, M. Fix, ed. (New York: Russell Sage Foundation, 2009), pp. 123-52; and L. Ku, "Changes in Immigrants' Use of Medicaid and Food Stamps: The Role of Eligibility and Other Factors," in *Immigrants and Welfare: The Impact of Welfare Reform on America's Newcomers*, M. Fix, ed. (New York: Russell Sage Foundation, 2009), pp. 152-92.

2. S. Camarota, *Welfare Use by Immigrant Households with Children: A Look at Cash, Medicaid, Housing, and Food Programs* (Washington: Center for Immigration Studies, 2011); S. Camarota, *Immigrants in the United States: A Profile of America's Foreign-Born Population* (Washington: Center for Immigration Studies, 2012); and Office of Senator Jim DeMint, "Pickpocket: How Big Government Bureaucracy, Regulations, Taxes and Out-of-Control Spending Rob Taxpayers: One-third of Immigrants Households Use Welfare," October 12, 2012, http://www.demint.senate.gov/public/index.cfm?p=pickpocket&contentrecord_id=c81c7eb2-3d1a-42a1-a3e5-a5c913f4fd23.

Because Senator DeMint has resigned from the Senate to become President of the Heritage Foundation, this website has since been closed.

3. An immigrant is a foreign born person, except those born to American citizens living abroad.

4. The Census Bureau does not ask about non-citizen immigrant legal status.

5. *Ibid.*

6. Q. Ji and J. Batalova, "College-Educated Immigrants in the United States," Migration Policy Institute, December 2012, <http://www.migrationinformation.org/Feature/display.cfm?ID=927>.

7. E. Grieco et al., "The Foreign-Born Population in the United States: 2010," U.S. Census Bureau American Community Survey Reports (ACS-19), May 2012.

8. H. Duleep and M. Regets, "Immigrants and Human-Capital Investment," *American Economic Review* 89, no. 2 (1999): 186-91; and H. Duleep and D. Dowhan, "Insights from Longitudinal Data on Earnings Growth of U.S. Foreign Born Men," *Demography* 39, no. 3 (2002): 485-506.

9. Many of the key federal rules were established in 1996 by the Personal Responsibility and Work Opportunity Reconciliation Act, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act, although there have been subsequent amendments in a variety of laws. For primary federal rules, see Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, "Summary of Immigrant Eligibility Restrictions under Current Law as of 2/25/2009," <http://aspe.hhs.gov/hsp/immigration/restrictions-sum.shtml>. For a more comprehensive review, including state variations in policies, see National Immigration Law Center (NILC), *Guide to Immigrant Eligibility for Federal Programs*, 4th ed. (Los Angeles: National Immigration Law Center, 2002). In particular, see the NILC's updates of laws and state options at <http://www.nilc.org/guideupdate.html>.

10. The Fourteenth Amendment to the U.S. Constitution begins: "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

11. See the NILC updates for more detail about state choices at <http://www.nilc.org/guideupdate.html>.

12. In Medicaid, payments to health care providers for emergency services are rendered to undocumented immigrants who otherwise meet Medicaid eligibility criteria (e.g., income, category, age). Emergency rooms, because of the Emergency Medical Treatment and Active Labor Act, are required to treat undocumented immigrants like other patients regardless of insurance status. The Medicaid provision helps ensure that reimbursement is available to the emergency care providers.

13. R. Capps, M. Fix, and E. Henderson, "Trends in Immigrants' Use of Public Assistance after Welfare Reform," pp. 123-52.

14. MEPS does not have information about citizenship, so we compare native-born vs. foreign-born low-income children and adults.

15. L. Ku, "Health-Insurance Coverage and Medical Expenditures for Immigrants and Native-Born Citizens in the United States," *American Journal of Public Health* 99, no. 7 (2009): 1322-28; and S. Mohanty et al., "Health Care Expenditures of Immigrants in the United States: A Nationally Representative Analysis," *American Journal of Public Health* 95, no. 8 (2005): 1431-38.

16. CPS data do not indicate which particular household members receive SNAP benefits, so all that can be determined is that a household received SNAP and that some members of the household are immigrants and some are not. If two citizen children are eligible for SNAP but their two immigrant parents are not, Census data only reveal that all four are part of a household receiving SNAP.

17. The CPS does not enumerate which children receive cash assistance and SSI ben-

efits because the Census Bureau uses these data to compute adults' incomes, but it does not compute income for children. The CPS data indicate which individual adults report receiving cash assistance and SSI but does not reveal which children received these benefits; we only know if they are members of households that received cash assistance or SSI. Thus, some immigrant children may be in families getting TANF or SSI benefits, but they may not be recipients.

18. S. Camarota, *Immigrants in the United States: A Profile of America's Foreign-Born Population* (Washington: Center for Immigration Studies, 2012); and S. Camarota, *Welfare Use by Immigrant Households with Children: A Look at Cash, Medicaid, Housing, and Food Programs* (Washington: Center for Immigration Studies, 2011).

19. C. DeNavas-Walt, B. Proctor, and J. Smith, *Current Population Reports, P60-243, Income, Poverty, and Health Insurance Coverage in the United States: 2011*, U.S. Census Bureau (Washington: U.S. Government Printing Office, 2012).

20. *Ibid.*

[From the Cato Institute, Aug. 2010]

EVIDENCE SHOWS IMMIGRANTS COME TO WORK,
NOT TO COLLECT WELFARE

(By Stuart Anderson)

Some oppose immigration because they believe immigrant use of welfare demonstrates immigrants do not assimilate in America. Others argue the immigrant work ethic remains strong and that immigrants do not come here to get on the dole. Examining data and eligibility rules provides an answer as to who is right on this issue.

Welfare and immigration is a combustible topic. In many ways, the issue is less fiscal than emotional. Americans treat the concept of newcomers arriving in America and immediately receiving government handouts as akin to an in-law moving into their basement and refusing to look for a job. It's not so much the cost as the principle of the thing. The good news is there is little evidence that immigrants come to America to go on welfare, rather than to work, flee persecution or join family members in the United States.

To evaluate whether immigrants come here to be on the dole one has to examine several aspects of the issue. First, it is necessary to look at the eligibility rules for immigrants, which are complicated and were overhauled in 1996. Second, one should evaluate their level of workforce participation, since if immigrants are working, then they are not bursting the welfare rolls. And third, we should compare native and immigrant use of welfare programs. Similar benefit use rates would indicate immigrants are not becoming fiscal burdens on other residents of the country.

ELIGIBILITY RULES ARE TIGHT FOR ARRIVING IMMIGRANTS

Upon first arriving in the country, immigrants are generally ineligible for federal means-tested benefits programs. With the exception of refugees, eligibility for programs usually requires immigrants to have been in the United States for 5 years or more in a lawful immigrant status.

In 1996, Congress changed the rules for immigrant benefit eligibility as part of a broader reform of the nation's welfare laws. The tighter regulations resulted in a decrease in immigrant welfare use. "There were substantial declines between 1994 and 1999 in legal immigrants' use of all major benefit programs: TANF or Temporary Assistance for Needy Children (down 60 percent), food stamps (down 48 percent), SSI (down 32 percent), and Medicaid (down 15 percent)," according to a 2003 report by the Urban Institute.¹

Even before the changes in the law, there was little support for the view that individual immigrants were more likely to be on welfare than natives.² One of the difficulties in measuring welfare use is that eligibility for some benefits are geared toward individuals and others are based on family, and families may live in households that go beyond two spouses and their children. If one labels a household as "using welfare" even when only one person in a house is receiving benefits, then it is likely to inflate the data on welfare use for immigrants, since the foreign-born tend to maintain larger households. On the other hand, such a calculation could capture data on a U.S. citizen child born to immigrant parents.

At the state level, eligibility rules differ and can be less restrictive than federal rules. Moreover, a child born in America is a U.S. citizen and can receive benefits if he or she meets a program's eligibility criteria, regardless of a parent's immigration status.

If immigrants have been seeking states with lenient benefit eligibility, then they're not doing a good job. Author and Wall Street Journal editorial writer Jason Riley notes many states with recent large increases in their immigrant populations, such as Arkansas, North Carolina, South Carolina, Utah and Georgia, are primarily states with low and below average social spending.³

Prior to the 1996 reforms, there was concern that non-citizen parents were making excessive use of SSI (Supplemental Security Income). With the exception of refugees and other "humanitarian immigrants," veterans, active duty military and their families, and certain Native Americans born abroad, Congress enacted a complete ban on SSI for non-citizens who enter the United States after August 22, 1996.⁴ Lawful permanent residents with credit for 40 quarters of work history in the U.S. can receive SSI once they have been in "qualified" status for 5 years or more.

In 1995, 3.2 percent of non-citizens used SSI, compared to 1.3 percent in 2006. Similarly, Congress barred most non-citizens arriving after August 22, 1996, from using food stamps, although this was modified in 2002 to allow non-citizen children and certain other lawfully residing immigrants to use food stamps. In general, a sponsor of an immigrant can be "required to reimburse the government for any means-tested public benefit the alien has received," notes attorney Susan Fortino-Brown.⁵

WORKFORCE PARTICIPATION RATES: IMMIGRANTS AND NATIVES

Immigrant men, ages 18 to 64, are more likely to work than native-born Americans. According to 2004 Census data analyzed by the Pew Hispanic Center, the labor force participation rate for legal immigrant males in that age group is 86 percent, compared to 83 percent for native-born males (see Table 1.) The rate is even higher—92 percent—for illegal immigrant males. Immigrant women are more likely to be married and have children, according to Census data, and this leads to a lower labor force participation rate—64 percent for legal immigrant women vs. 73 percent for native-born women.⁶

NATIVE VS. IMMIGRANT USE OF WELFARE

An analysis of Census data released by the House Ways and Means Committee indicate the proportion of natives, non-citizens and naturalized citizens who use AFDC/TANF (Aid to Families with Dependent Children/Temporary Assistance for Needy Children), Medicaid and food stamps is similar for the three groups. More important, the data show the vast majority of immigrants are not receiving these types of public benefits. Less than 1 percent of naturalized citizens and non-citizens in 2006 received benefits under TANF.⁷

The data tell the story:

In 2006, 0.6 percent of natives used AFDC/TANF, compared to 0.3 percent of naturalized citizens and 0.7 percent for non-citizens.

For Medicaid: 13.1 percent of natives used Medicaid, compared to 10.8 percent of naturalized citizens and 11.6 percent of non-citizens.

For SSI, which most natives would not use because they are eligible for Social Security benefits, 1.6 percent of natives used SSI (Supplemental Security Income) in 2006, compared to 3.0 percent of naturalized citizens and 1.3 percent of non-citizens. (See Table 7.1.)

And 7.7 percent of natives used the Food Stamp program, compared to 3.9 percent of naturalized citizens and 6.2 percent of non-citizens.

CONCLUSION

Concerns about immigrant welfare use do not represent valid grounds for supporting reductions in legal immigration. Nor is it reasonable to oppose a better approach to addressing illegal immigration, such as by instituting new temporary visa categories. Historically, immigrants have come to America not for a handout, but in search of opportunity. There is no reason to think this will change.

ENDNOTES

1. Walter A. Ewing, *Not Getting What They Paid For* (Washington, DC: Immigration Policy Center, June 2003), 1.

2. In research for the Urban Institute in 1994, Rebecca L. Clark wrote, "Among immigrants, high rates of welfare use are limited to one group of immigrants—those who entered as refugees—and one type of welfare—SSI. For other types of welfare, immigrants who did not enter as refugees are no more likely to use welfare than natives." From Rebecca L. Clark, "The Costs of Providing Public Assistance and Education to Immigrants" (Washington, DC: The Urban Institute, May 1994), 18, as cited in Julian L. Simon, *Immigration, The Demographic and Economic Facts*, (Washington, DC: The Cato Institute and the National Immigration Forum, 1995), 35–36.

3. Jason Riley, *Let Them In* (New York, NY: Gotham Books, 2008), 108.

4. Thank you to Jonathan Blazer and Tanya Broder of the National Immigration Law Center for their assistance.

5. Susan Fortino-Brown, "Family-Sponsored Immigration, in *Navigating the Fundamentals of Immigration Law: Guidance and Tips for Successful Practice*, 2007–08 Edition, ed., Grace E. Akers, (Washington, DC: American Immigration Lawyers Association, 2007), 326.

6. Jeffery S. Passel, *Unauthorized Migrants: Numbers and Characteristics*, (Washington, DC: Pew Hispanic Center, June 14, 2005), 25.

7. House Ways and Means Committee, 2008 Green Book, Appendix H, Table H-9—Estimated Benefit Usage by Citizenship Categories: 1995, 19998, 2001, 2006.

Ms. HIRONO. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELLER. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING BARBARA VUCANOVICH

Mr. HELLER. Mr. President, Monday was a sad day for my home State of Nevada. This week we learned that Congresswoman Barbara Vucanovich passed away in Reno just a few weeks after her 92nd birthday. As the first woman elected to represent Nevada in Congress, Barbara was a dedicated and effective legislator, admired by her colleagues on both sides of the aisle. As the first person to represent Nevada's 2nd Congressional District—a district I was privileged to represent in the House of Representatives—Barbara was a role model to countless Nevadans. She exemplified the highest standards of public service. Moreover, Barbara was a dear friend.

When I came to Washington for the very first time, Barbara invited me to join her for lunch, even though I was a total stranger. It was a kind and considerate gesture I will never forget. Even today, when constituents come to Washington to visit, I tell them the story about Barbara and how I aspire to the high standards she set.

During her seven terms in Congress, she was a vigorous advocate for important issues, including breast cancer research and was herself a breast cancer survivor. As chairwoman of the House Subcommittee on Military Construction—at the time one of only two women ever to serve as chairman of an appropriations subcommittee—she was a strong and effective voice for America's men and women in uniform, and she played a pivotal role in protecting Nevada's vast resources while serving on the House Interior Committee, helping to create the Great Basin National Park.

Barbara served in Congress at a time when Members of different parties could come together and find solutions for the American people. She served at a time when compromise and common sense guided decisionmaking, when results were more important than petty partisanship, and the same was certainly true of Barbara.

Barbara was a devoted mother, grandmother, and great-grandmother. She was an admired and beloved public servant, a patriot, a proud Nevadan, and a dear friend.

My heart goes out to her family and friends during this difficult time. My wife Lynne and I join our fellow Nevadans in remembering the inspirational life and legacy of Barbara Vucanovich.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to speak in strong support of the immigration bill currently on the floor of the Senate.

First and foremost, we need an immigration system that is fair. We are a nation of immigrants. My grandparents came to this country seeking a new life for their family. Our story is similar to the story of millions of other families in this country.

Immigration is very important for our country. It is important for our

economy. We need highly skilled workers who can innovate, create, and move our country forward. All of our workers should be protected under our laws and not just some.

We also need strong border security. We need to know who is coming into this country, and we must make sure we have a legal system that protects the homeland.

So we need a balance. For immigration reform we need a balance between border security and lawful employment and a pathway to citizenship and the ability to lawfully remain in this country for those who are currently undocumented. The legislation before us creates that balance. I wish to compliment my colleagues on both sides of the aisle who have brought forward this package. It is not what any one of us would have written, but it does balance the security of our country with border security and a lawful system for employment with the realities of 11 million people currently living in the shadows who will have an opportunity to remain in this country in a lawful way, to be able to work and ultimately become citizens of America. But those individuals have to earn their way. They have to pay taxes, learn English, be law-abiding, and they cannot break into the line. They have to go to the end of the line.

This is a fair bill. This is a bill that at long last fixes the broken system we have in this country.

Over the past months, I have held a number of immigration roundtables throughout the State of Maryland. At the Lutheran Immigration and Refugee Service in Baltimore we discussed the importance of streamlining the process in refugee and asylum cases and eliminating barriers to family unification.

We discussed the need for strong provisions to prevent human trafficking and to make sure the U.S. labor protections apply to all immigrant workers. We talked about making sure we have a realistic 10-year pathway to citizenship that can be both started and finished in a workable manner by undocumented immigrants. All those issues have been addressed in the bipartisan bill that is currently before the Senate.

I held this similar discussion at CASA of Maryland in Hyattsville. We discussed the DREAM Act recently approved by the voters in Maryland and the DREAM Act provisions that are pending in the bill before the Senate. The group stressed the importance of family reunification and the need to create a workable pathway to citizenship for undocumented immigrants. We discussed the need to clear up and eliminate the backlog of legal immigrants waiting in the system so the undocumented immigrants do not have to jump ahead in line.

That is what this bill does. It provides the resources so we can process those who are currently in the system in a fair manner, which is in the best interests of this country and the best interests of those who are currently

caught in this backlog. The bill provides for an orderly way to consider legal immigration and to deal with those who are currently undocumented as they come into our system.

These roundtables were important for me to hold to hear directly from Marylanders who are affected by the immigration policy decisions we make in the Senate. Maryland, as well as the United States, has a long and proud tradition of welcoming immigrants, and our Nation is truly a nation of immigrants. According to the Immigration Policy Center and U.S. Census Bureau statistics, foreign-born immigrants make up roughly 1 in 7 Marylanders—14 percent of our population. More than a quarter of Maryland's scientists were foreign born, as were roughly one-fifth of our health care practitioners, mathematicians, and computer specialists. According to the Migration Policy Institute, the number of immigrants in Maryland with a college degree increased nearly 70 percent between 2000 and 2011.

My point here is that immigrants contribute to the growth of America. They help us develop the innovations of tomorrow that will create the jobs of tomorrow. They help solve the problems we have today. They help our economy grow. That is what has made America strong.

According to the Urban Institute, immigrant households paid nearly one-fifth—or \$4 billion—of all taxes collected in Maryland, including Federal income taxes, Social Security, and Medicare taxes; State income, sales, and auto taxes; and local property, income, sales, auto, and utility taxes.

I hope we can keep these facts and statistics in mind as we enter into this historic debate on how to overhaul our Nation's immigration laws. We should avoid stereotypes and generalizations in this debate.

But more importantly, I want to put a human face on these facts and statistics, so I am going to share two stories of individuals who came in contact with our office. These two are representative of literally millions of people. We hear the numbers, but when we listen to the stories and look at the faces of people involved, we know we have to act.

The first is about Yves Gerald Gomes, 20 years of age, who was originally from India. I quote him:

My own story started in 1994, when I came to this country in the arms of my parents. I was only a year and a half. My parents came from India and Bangladesh, hoping to provide me with opportunities, something they didn't have growing up in poverty in their homes. My earliest memories in life are growing up in MD in the basement of my great aunt and great uncle's house and learning English from their children (my older cousins) by watching *Fresh Prince of Bel Air* and *Full House*. Soon after, in 1995, my brother was born.

My parents had an ongoing asylum case, which was denied in 2006. But over that 12 year span, my father worked hard as a hotel server in order to help my mother pay for her college education and for us to live com-

fortably; growing up I felt as though I was just like any of my middle-class, American peers from school. But in 2006, we became "undocumented." Our work permits could no longer be renewed, so my father was forced to quit his job at the hotel, and my mother had to resign her tenure as a college professor, and surrender her PhD studies in computer sciences. In 2008, our home was raided by ICE, a few days after my dad was pulled over one night for driving with a busted taillight in Baltimore. Ultimately both of my parents were deported in 2009. I faced my own deportation in 2010, but was able to remain in the US because of the [hard] work of my lawyer . . . the support of my friends, church community, [and] the media. . . .

It will be 5 years since my brother and I have last seen our parents. Currently my brother and I live with the same great aunt, great uncle and cousin with whom we resided when my family first came to US. It was disheartening when my parents missed my own high school graduation, and it will again be disheartening when they will miss my younger brother's high school graduation. . . .

Moreover, the pain of separation resonates to our extended family too. My mother treated my great-aunt and great-uncle, naturalized US citizens for 40+ years, like her own parents, and she cannot be here to take care of them in their old age. Their son, my cousin (a US citizen) has a degenerative muscle disease which prevents him from traveling. If immigration reform does not happen, it's possible he will never get to see my father, whom he treats like his older brother, ever again.

I will graduate from the University of Maryland College Park in 3 semesters with my undergraduate degree in Biochemistry, and I really hope that my parents will be there to see me walk across the stage. For myself and millions of others, immigration reform means a pathway to pursue our dreams and give back to American society, our home; personally, I want to enter into the field of medical research or pharmacy. Moreover, for myself and so many others, immigration reform means the hope of being reunited with family members, and also it means no longer having to wake up every morning with the constant fear of deportation.

I have lived in the United States since I was a year old. This is the only country I have ever known as my home. Despite all the challenges my family has faced, I still love the United States, and have always considered myself to be American at heart. I hope that after this year, I can be an American on paper too.

Let me tell one more story. I could read from other letters we have received. I am sure the Presiding Officer has the same situation. We have all heard from people in our communities.

Let me talk about Raymond, who was originally from the Philippines. I quote him:

My family and I came to the United States in hopes and dreams of a better life; we left everything behind in the Philippines in pursuit of the "American Dream." At the age of nine, assimilating to the American culture was not difficult; naturally I felt as though I was just like everyone else. Or so I thought. The harsh reality of being undocumented hit me my senior year of high school when I came home from an invitational track meet where I was scouted and offered scholarships. I was so excited to tell my parents the great news; to this day I still remember the proud look on my father's face. My mother on the other hand suddenly broke

down in tears. . . . I was confused as to why she was asking for forgiveness, she began to explain that we were undocumented and due to my immigration status I would not be able to accept the scholarships. Finally hitting that wall made me realize that all my hard work would amount to nothing.

For as long as I could remember my family has constantly faced financial struggles, but somehow we always found a way to make ends meet. My father, who was once a successful businessman, was forced to work odd jobs such as landscaping, delivery, and driving a taxi. My mother, who was once a nurse practitioner, works multiple jobs from cleaning houses, babysitting, and taking care of the elderly. My sister who is only two years older than me, made the sacrifice of not going to college so that I would be able to, and she works any job that comes her way. They all work day in and day out to make sure there's food on the table, clothes on my back, and a roof over our heads. I know that if my parents were able to work legally in the US in business and nursing, we would not struggle as much, and we would be able to contribute much more to the US economy. Yet, because of our current broken immigration system, our hard work does not pay dividends.

In 2011, I became involved in the campaign for the Maryland DREAM Act . . . which involved grassroots organizing. At this point I realized that no longer would I stay silent in the shadows, I had to let my voice be heard and take a stand against this injustice that my community and I faced. Throughout the campaign I realized that even as youth we can still bring forth change, which is why to this day I continue to fight for my family and all 11 million undocumented immigrants in the US.

In this year's push for Comprehensive Immigration Reform, no one will be left behind; we must stand united and battle this suppression. In the words of Martin Luther King Jr. "Injustice anywhere is a threat to justice everywhere."

I could bring up many other stories, put faces on these numbers, because I think we need to do that. This immigration bill is for the two persons whom I just talked about, their families, and the 11 million. It is for this Nation.

There is bipartisan agreement that our Nation's immigration and border security system is broken and must be fixed. We must ensure our borders are secure and that we know who is coming and going from the Nation. At the same time we must find a tough but fair process that allows the estimated 11 million undocumented immigrants in the United States to come out of the shadows and sets reasonable requirements if they want to stay in this country.

This legislation creates a fair path to citizenship for undocumented immigrants currently living in the United States. This path to citizenship must be earned and would require individuals to register with the government, submit biometric data, learn English, pass criminal background and national security checks, and pay taxes and penalties before they would be eligible for a provisional legal status. This pathway to citizenship requires individuals to earn their legal status over a period of no fewer than 10 years.

In addition, the legislation addresses the need for improved border security

and requires a 90-percent effectiveness rate for apprehensions and returns in high-risk border sections before individuals in provisional legal status can adjust to permanent residence. It also creates an effective employment verification system—using the E-Verify system—that will prevent identity theft, end the hiring of unauthorized workers, and help stop future waves of illegal immigration. And finally, this legislation establishes an improved process for future legal immigration that is responsive to the needs of American businesses and supports reunification of families.

Despite fears that immigrants will take jobs from Americans, numerous studies show that immigrants and U.S.-born workers generally do not compete for the same jobs. In fact, a 2009 study by the Cato Institute, a conservative think tank, found that immigrants have a positive effect on the workforce.

The business sector strongly supports comprehensive immigration reform. That is because our economy is in need of highly skilled workers who can help stimulate growth and keep our Nation at the forefront of innovation and invention. From 1990 to 2005, foreign-born nationals founded more than 25 percent of the technology startups in the United States.

Immigration reform is about keeping families together and ensuring that immigration laws are respected. I want to commend my colleagues from both parties for coming together in crafting a bipartisan bill that creates a workable framework for comprehensive reform. Now the Senate needs to move forward in passing legislation that is both comprehensive and fair.

This legislation enjoys broad support from a diverse coalition of labor, business, civil rights, and religious groups. Polls indicate broad support across party lines for comprehensive immigration reform, with most Americans agreeing that immigration is a net positive for the United States. Most Americans want Congress to take action to fix our broken immigration system. While this legislation is not perfect—it is not what I would have drafted—I believe it is a strong step forward and a vast improvement over our current laws, and I urge my colleagues to support this balanced approach to immigration reform.

Article I, section 8 of the Constitution provides that "Congress shall have power . . . to establish a uniform rule of naturalization." Congress last enacted a major overhaul of immigration policy in 1986 during President Reagan's administration, over a quarter century ago. The time is now for Congress to act.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Alabama.

TRIBUTE TO MARCUS PEACOCK

Mr. SESSIONS. Madam President, I wish to take a moment to do some-

thing special. This week, the Senate community will say goodbye to Marcus Peacock, my staff director on the Senate Budget committee.

During his tenure with the committee, he has been a constant warrior for sound finances and this country that he so loves. I am going to miss his exemplary service, and the Nation will miss his service.

Marcus has been with me since I became ranking member on the Budget Committee. During that time, he has helped my staff and me negotiate and navigate the intricacies, quirks, and arcana of the budget process, which, as anyone with budget experience will tell you, can be a most daunting and frequently frustrating task, even for the most savvy budgeteer. He has approached every task and every challenge with his trademark sunny disposition, remarkable unflappability, and can-do attitude.

During his tenure with the Budget Committee, Marcus was instrumental in crafting the Honest Budget Act—we need that around here—legislation that I introduced in 2011 that exposed some of the most egregious budget gimmicks, gimmicks that are often utilized to get around budget requirements. Together we have achieved a string of victories on budget points of order. I think as many as maybe seven consecutive times the Senate has failed to proceed with spending bills that exceeded our budget limits. That is a very significant achievement. He has been able to therefore expose, and frustrate, some of Washington's spend-thrift ways.

I was very glad to have him at my side when the Senate finally produced its first budget in 3 years. It had been so long since the last budget that everyone was a little rusty, and I was grateful to have his counsel.

Marcus brought invaluable experience to his leadership of the Budget Committee staff because he's spent his professional career creating and implementing ways to measure and improve the effectiveness and efficiency of government programs. Whether he was managing oversight efforts on the House Committee on Transportation and Infrastructure, leading the Performance Improvement Initiatives at the Office of Management and Budget under President Bush, or ferreting out waste and inefficiency as the Deputy Administrator at the Environmental Protection Agency, Marcus has always been a careful steward of taxpayers' dollars. It is their money. It comes to us in trust. We have an absolute duty to show fidelity to it.

Marcus imposed those same principles at the helm of the Senate Budget Committee, turning back 15 percent of his staff budget every year, coming in 15 percent below the allocated amount—something I was very proud of.

I would be remiss if I also did not thank Marcus' wife Donna and their two lovely daughters, Iona and Mey,

for loaning his time to public service. Hours on the Hill can be long and I know he's missed a recital or sports match here and there, and probably several "date nights" too. So thank you Donna, Iona, and Mey.

Truly, Marcus Peacock is one of the finest public servants I have ever had the honor to work with. His character and integrity are sterling. He honors his family. Surely he is a role model for a high public servant.

Marcus, I know I speak on behalf of the entire staff of your Budget Committee when I say that we will miss your wit, your leadership, and your dedication to good government. I wish you the very best of luck. I know our paths will cross again.

The PRESIDING OFFICER. The majority leader.

ORDER FOR RECESS

Mr. REID. Madam President, a number of people have said they did not know what was going on with the intelligence situation that has developed in the country. The programs have been around for 7 years. We have had a number of briefings, both classified and unclassified. We are having another one at 2:30. General Alexander will be there. He has some new stuff he wants to lay out for us. Everyone should go. If you do not go, you have no excuse for saying you do not know what is going on. This meeting has been scheduled all week.

Having said that, I ask unanimous consent that the Senate recess from 2:30 to 3:30 p.m. I do not want anyone to have an excuse for why they are not going there.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 953

Ms. WARREN. Madam President, in less than 3 weeks the interest rates on subsidized student loans will double if Congress fails to act. This is not only wrong, it is unnecessary. Senator HARKIN and Senator REED have proposed a plan to hold the interest rate steady at 3.4 percent for 2 years. This will give Congress time to develop a long-term plan to address the rising burden of student loan debt, a long-term plan that keeps interest rates low and that addresses rising college costs.

Two weeks ago a majority of Senators in this body voted to approve this temporary extension to provide a measure of relief to our families. Unfortunately, Republicans have decided to filibuster this bill, blocking the measure that has majority support. That is not the way our democracy should work.

I met with students in Massachusetts earlier this week. They told me we need to fix this problem. They said to me: Do not double my rate. Do not double my rate. Dozens of Massachusetts universities have asked us to step in and help their students. Petitions urging us to stop interest rates from doubling on July 1 have collected more than 1 million signatures. Students,

parents, families are asking for help. They do not have time for politics.

I ask unanimous consent that at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed immediately to the consideration of Calendar No. 74, S. 953, the Student Loan Affordability Act, and that the bill be read a third time, the Senate proceed to vote on passage of the bill, and the motion to reconsider be considered made and laid upon the table, with no intervening objection or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BURR. Madam President, reserving the right to object, my good friend and colleague from Massachusetts stated that students in Massachusetts have come up and said: Senator, fix the student loan program. Fix it. She said that what Republicans have done is they have filibustered it. The fact is that what Republicans offered was a fix.

What the Senator comes to the floor today to do is to have a 2-year extension of a student loan program that the Secretary of Education admits does not fix the problem. As a matter of fact, in a Washington paper today, Secretary of Education Duncan is very clear and implores the Senate and the Congress: Fix it. Find a long-term solution.

Let me state for my colleagues that what the Senator from Massachusetts is here to do is to extend a preferred interest rate of 3.4 percent for 2 years on 39 percent of the student loans that are taken out. Current law is that for subsidized student loans, they are subsidized at 3.4 percent. That preferred half, 50-percent cut, is effective until the end of June. But under current law, the unsubsidized Stafford loans are at 6.8 percent. The parent and graduate PLUS loans are at 7.9 percent. My colleague's amendment only covers the subsidized Stafford loans that are 39 percent of all of the loans that are administered. So what her proposal says is that we are not going to fix it, we are going to kick the can down the road for 2 more years. To the parents and to those who do not get subsidized Stafford loans, we are going to continue to charge you double what we charge other students. If we look at the math, where we are is unsustainable.

I understand that when we voted on a Republican alternative last week, it was the Alexander-Coburn-Burr bill where we actually wanted to tie the interest rate on an annual basis to the rate of the 10-year Treasury bond. The advantage was that if you locked that in in any given year, that was your interest rate for the entire life of the loan.

What students want is predictability. What they want to do is understand how much is it going to cost them for their education, not this year but over the life of having to pay it off. Well, you know what. We put a proposal on the table. It was routinely rejected even though it was a solution. It was a

fix. It was what the President has called for. It is what the Secretary of Education called for.

The President also proposed a fix. The President's—I do not agree with all aspects of it, but it is a start. It is the nucleus of a compromise. In the President's bill, he ties everything to the 10-year Treasury bond—very similar to the fix Republicans came up with. Here is the difference: The President ties subsidized loans to the price of the Treasury bill plus .93. Ours was 3.0. On unsubsidized Stafford loans, it was 10-year Treasury bill plus 2.93—almost identical to the Republican proposal. For parents and graduates, the President's bill called for a 10-year bond rate plus 3.93 percent. So if you do the math and you look at 60 percent of it not being subsidized and 40 percent being subsidized, what Republicans laid on the table and what the President laid on the table are very similar. As a matter of fact, both the Republican proposal and the President's proposal said: Let's fix the rate for the life of the loan.

So not only am I being asked today to agree to a unanimous consent request to take up a bill that does not fix the problem, I am being asked to grant unanimous consent to a bill that does not even extend the same rate for the life of the loan for the students who are borrowing it. Imagine where we would be in the marketplace if we wanted to buy a home, and when we walked in, our lender looked at us and said: I am going to lend you the \$300,000, but I have a right to readjust the rate every year. Some people take a risk at doing that. They are called mortgages that are fixed with ARMs—adjustable rate mortgages. After the downturn, they were not very popular. As a matter of fact, many of those were the ones that were foreclosed on.

Here is the challenge: We have to present something that is understandable and that is predictable and something that is financially sustainable for the American people. Some have come to the floor and they have been brave enough to say that these bills actually produce savings. Let me squash that. The Congressional Budget Office has projected that direct student loans issued between 2013 and 2023 will cost \$95 billion based upon a fair value basis, in contrast with a projected savings of \$184 billion using questionable fuzzy math.

So make no mistake about it, there are no savings that can be claimed from any of the proposals that are out there. It is a cost to the American taxpayer, one that I think is a justifiable investment in education if we applied it to everybody. But this is not applied to everybody. It is a unanimous consent request for 39 percent of the individuals who take out student loans. To the other 61 percent, it says: Hey, you live with 6.8 or 7.9.

So I am not in a position today to agree to the unanimous consent request that has been made, but I am in

a position to do this: I ask unanimous consent that the Senate proceed to the immediate consideration of the bill that is at the desk, which is the proposal of the President of the United States on student loan issues. I further ask that there be 1 hour of debate equally divided in the usual form and that at the expiration of time, the bill be read a third time and the Senate proceed to a vote on passage of the bill.

Let's put this to bed now. Let's not wait until the end of June, when we have used a couple of more weeks, to say to kids: You ought to be concerned because rates are going to go up. Let's lock it down. I will not argue with the rates the President set even though I do not agree with it all. It starts to fix the problem. It is a solution in the right direction, where just assuming that we extend what is currently broken, does not fix it, and is not cost-sustainable, I believe is the wrong thing.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

The Senator from Massachusetts.

Ms. WARREN. Reserving the right to object, I would like to focus on three words Senator BURR discussed, and they are "unsustainable," "everybody," and "fix."

I heard all three, and I think all three are very important words here. Let's go through this and figure out what it is the Senator is proposing and what it is we need to do.

Right now we have a student loan program that produces \$51 billion in profits this year off the backs of our students, \$51 billion. Yes, I think that is unsustainable. We must find a way to deal with that.

In fact, Republicans did put a proposal on the table. Their proposal would have increased profits to the Federal Government from the student loan program by another \$16 billion.

The Republicans' plan was to say let's take a debt load that is already too difficult for students to deal with and let's make it harder. That is, in my view, completely unsustainable. We have to do better than that.

The question the Senator also raises is one about everybody: We need to fix this problem for everybody. I agree with the Senator. We do, indeed, need to fix this problem for everybody. Let's think about what this is.

What we are talking about is student interest rates that are about to double. What the Democrats have proposed, what I propose in the original request for a UC, is that we not let those interest rates double. We use that time to try to develop a comprehensive way to deal with the rising costs of college and with the trillion dollars of college loan debt that is outstanding.

In other words, we recognize this is a narrow slice. This is to prevent our students from facing a double interest rate, a doubling of their interest rates on July 1. We say we would use this time in order to get a comprehensive answer for all of our students.

What the Senator has proposed and what he has asked for unanimous consent on is not that. It is only a narrow slice of the question of how we are going to deal with interest rates on loans going forward. It doesn't deal with the interest of the loans outstanding, and it certainly doesn't deal with the rising costs of college. They want to put this problem to bed by saying that one problem we will deal with and we will move on. Let's keep in mind we have seen what the Republican plan will do. The Republican plan will cost our students an additional \$16 billion. That is the plan. Take a problem and make it worse but not something that is sustainable and not something that fixes it for everyone.

The third point he raised is he used the question of fix. I think fix is exactly what we are talking about.

We have three different kinds of problems we need to solve. We have the problem of \$1 trillion of outstanding student loan debt that is crushing our students. We have the problem of rising costs for college. We must deal with this. We have the immediate problem of interest rates about to double for our students.

We can fix one of those problems in the next 2 weeks. We could fix it today. We could fix it by unanimous consent right now.

Then we could agree to sit down, on a bipartisan basis, and we could work together to try to solve the larger problems. That is what our students are asking for. That is what we need to do.

One last point I wish to make, I notice that Senator BURR cites the Congressional Budget Office study. Let's just be clear what that same study decided right from the beginning. The Congressional Budget Office projects the total cost to the Federal Government of student loans disbursed between 2013 and 2023—I believe that is what the Senator was referring to—will be negative; that is, the student loan program will produce savings that reduce the debt. Don't let anyone be confused by what that language means—produce savings that reduce the debt—meaning our kids have become a profit center for the Government. Right now this government will lend to large financial institutions at less than 1 percent interest, but the plan has continued to produce profits off the backs of our kids, and not small profits, tens of billions of dollars of profits.

There is \$51 billion projected this year. The Republicans are asking for another \$16 billion. We can't do that.

We need a sustainable answer. We need a fix that encompasses all of our students, all of our families.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request from the Senator from Massachusetts?

Mr. BURR. Madam President, continuing my objection, I am appalled. I

am, frankly, appalled. Out of the student loan program, the Democrats push \$8.7 billion to the Affordable Care Act; \$8.7 billion of student loan-designated money is going to pay for ObamaCare.

I realize the Senator wasn't here when the vote was made, but it is \$8.7 billion. To suggest that trying to be fiscally responsible is an insult to this generation of students when they are sending \$8.7 billion to a health care plan out of the student loan fund is incredible.

Let me go a step further. The Senator quoted from the Congressional Budget Office. Let me quote from the Congressional Budget Office as well:

Taking account the cost of market risk significantly reduces or eliminates the savings estimated for student loans under the FCRA approach, making student loans costly to the Federal government in most years during the coming decade.

Maybe you can pick these out that say we can make money off this, but I am not sure it says it any clearer than that it costs the American taxpayers money. Let me say I am fine with subsidizing student loans. I am not objecting to that. I didn't object to the President's proposal. I offered the President's proposal.

I am sure the President is going to be shocked to find out it doesn't solve the problem because the Secretary of Education surely believes it does.

Here is what I object to. I object to the fact that we are going to give some kids a preferred rate, and we are going to sock it to the 61 percent of kids, parents, and postgrads. Why should they be denied the same rate? Why are only 39 percent going to get a cut of 3.4?

Why? Because it is hard to do. It gives away a political tool.

You see, we are here arguing this because of politics, not because of affordability of higher education. Thank goodness the President in his budget proposal laid something on the table.

Quite frankly, I am sick and tired of waiting until the deadline. We are going to come out here every week, and we are going to hear in 3 weeks: This is going to happen; in 2 weeks: This is going to happen; and in 1 week: This is going to happen. We are going to come down to the last day and we are going to dare each other not to do it.

I don't know what is going to happen on the last day, but I can tell you what is going to happen every day until the last day. I am going to come out and object to anything that does not solve the problem long term. I don't want to go home and look at kids and tell them the rate they agreed to this year is not the rate for the entirety of the loan, period.

That is not the case under this bill. I am not going to go home and look at two different students whom we have put in two different categories and tell one: You have to pay 3.4 percent, but you have to pay 6.8 percent.

That is wrong. It is not our role to pick winners and losers.

I would turn to my good friend from Massachusetts and ask, Have I in any

way, shape or form misstated what her proposal does, which is extend the 3.4 percent which is limited only to subsidized Stafford loans?

If the Senator thinks that is wrong, I would ask her to speak now.

Ms. WARREN. I believe, if I understand this correctly, what we are trying to do is protect the subsidized Stafford loans. What I understand the Republicans have tried to do is protect all the new loans so no one is dealing with all the loans that already have been issued and are at much higher interest rates. This is how I understand it. If the Senator is talking about wanting—

Mr. BURR. Reclaiming my time—

Ms. WARREN. Then I assume the Senator means all the students with student loan debt, and that is not my proposal.

Mr. BURR. Reclaiming my time, clearly, the Senator said her bill only deals with the subsidized Stafford loan.

Under current law, let me state it again, unsubsidized Stafford loans, current law, 6.8 percent; parent and graduate PLUS loans, 7.9 percent. Somehow, somebody thinks this is fair.

I, personally, participated in coming up with something that treats everybody the same, that ties it to a 10-year Treasury, that fixes the rate above a 10-year Treasury that sets that number once a year, lets students know exactly what their exposure is going to be, and provides them the certainty of that interest rate for the life of the loan—

Ms. WARREN. Will the Senator yield for a question?

Mr. BURR. Let me finish—which this unanimous consent request doesn't incorporate.

In essence, the unanimous consent request says we are not going to deal with this 61 percent; we are only going to deal with 39 percent. Because they have received the preferred rate up to this point, we want to protect the preferred rate.

Some people think it is the role of Congress. I don't think that is the role of Congress.

I yield to the Senator for a question through the Chair.

Ms. WARREN. I wish to make sure I understand. Have the Republicans put any proposal on the table that will deal with all of the outstanding student loan debt?

Mr. BURR. I would be happy to address the Senator's question.

No, we haven't. The President's proposal—and I said there are parts of it I don't agree with—makes loan forgiveness tax free.

Maybe what we ought to debate is whether we are going to make college tuition free, because this is a race for who can make it the cheapest on the backs of the American taxpayer—when we are \$1 trillion out of balance, \$1 trillion we spend.

Excuse me, we have new numbers: \$646 billion this year, projected to go up next year. We are accruing debt on this country's books at a rate nobody

ever dreamed. We are still talking about constructing programs that financially are unsustainable because we are using somebody else's checkbook.

This is the definition of insanity. Therefore, I would object to the Senator's original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. I just wanted to return to this question, since the Senator has raised it, about the Congressional Budget Office. Let's all be clear about what the current student loan interest rates produce for the government.

The CBO, the agency in charge of estimating these costs for the government, maintains that this year the government will make \$51 billion in profits from the student loans. Their most recent report on this—I read the language earlier—is clear and direct. We will make a profit.

The CBO uses this accounting method because it reflects reality. It is the reality of how these loans affect the Federal budget. The CBO's method takes into account the cost of lending money from the Treasury and the projected money that will be returned to the Treasury.

It takes into account the risk that some students will default; in other words, it is basic math.

Some people don't like the idea that the government is profiting from the student loans. Their approach is to try to change the accounting rules to treat the government as if it were a private bank rather than the Federal Government, which it is.

The government is not a bank in a private market. If we want to reduce the profits from student loans, then we should actually reduce the profits from the student loans, not change the map, not bury our heads in the sand and pretend those profits don't exist.

Let's go back to what the Senator has proposed. The Republicans propose that we take \$51 billion in profits that will currently be made from the backs of our students and add another \$16 billion in profits off the backs of our students. This is fundamentally wrong. It is not sustainable.

I think the larger point the Senator makes is one that says we have a big problem. We need to talk about the debt that is outstanding. We need to talk about how we are going to pay for college over time. We can't do that in the next 2 weeks.

We need to make sure interest rates don't double, and then we need to address this problem. I am pleased to work with people on both sides of the aisle.

Mr. BURR. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator should be aware we have a previous order to recess.

Mr. BURR. I ask unanimous consent to ask one question of my colleague from Massachusetts.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. Does the Senator from Massachusetts agree that out of the student loan fund \$8.7 billion is diverted to the Affordable Care Act?

Ms. WARREN. No.

Mr. BURR. The Senator is not aware of that?

Ms. WARREN. Look, we can go back over the CBO numbers, but what is clear right now is what the CBO has made clear. We will make \$51 billion in profits off the backs of our students. The Republicans propose to make another \$16 billion off the backs of our students. We can't do that. It is unsustainable. Our students are asking for more.

Mr. BURR. I thank my colleague for not answering.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, at 2:31 p.m., the Senate recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. WARREN).

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

GUN VIOLENCE EPIDEMIC

Mr. BLUMENTHAL. Madam President, today we mark the 6-month anniversary of a date that none of us will ever forget because it transformed our lives, it transformed America, and it certainly transformed Connecticut and the community of Newtown.

We commemorate the 6-month anniversary of that unspeakable, unimaginable tragedy that cut short the lives of 20 beautiful, innocent children and six dedicated, courageous educators.

It transformed America in so many ways. It changed our lives irrevocably and, I hope, put us on a trajectory toward changes in our laws that will prevent this kind of horrific, unimaginable tragedy from ever happening again. Our challenge right here in this body, on this floor, is to make sure we learn from it, that we act on it, and that we keep faith with those families, as well as the Newtown community and all of our country that lost so much that day.

December 14 began like so many other days for the parents of Newtown, CT. They took their children to school, kissed them goodbye, and went about their day with plans for play dates, Hanukkah and Christmas holiday parties, and presents that they would give to those children for those holidays. They planned snack breaks and holiday parties. They wrapped presents. Just hours later, I stood with them and saw them emerge from the Sandy Hook firehouse having learned that those children would not be coming home that night.

I arrived in Newtown as a public official within hours of that shooting. But

what I saw was through the eyes of a parent—grief-stricken, panicked parents, tears streaming down their faces—who came hoping to reunite with their children. Many parents did reunite. Children were brought to all of the parents who gathered at the firehouse, and they left with their children—until the families who realized that their children would not be coming home.

I saw those families who lost beautiful, young children. Some of them are here, along with adults—dedicated, courageous adults—families of educators who died themselves trying to save their children. I will never forget the cries of grief, anguish, pain, and disbelief.

Every parent in his or her DNA has something fundamental. It is about trust and caring for children, making sure they come home at the end of the day when they go to school; that they are kept safe in some very basic and fundamental way. Society shares that trust. Society failed in that trust.

We will never forget the loss and heartbreak of that tragic day in Sandy Hook. But we also know that in the face of evil there was tremendous goodness and heroism. There were genuine heroes: the first responders who braved the unknown, hearing gunfire, charging into that school, and stopping the shooting through their courage because the shooter turned that gun on himself. There were the brave educators, teachers, administrators, and school psychologists who threw themselves in front of bullets or tried to save their children and perished themselves. Then members of the community who came together in support of the families and who themselves, along with first responders, are continuing to recover. They exemplify the quintessential values of this quintessential New England town that make us proud to be American.

Thirty-two members of the victims' families at the massacre wrote to the U.S. Senate Judiciary Committee. Through their unspeakable pain and suffering, they asked Congress to honor the memory of their loved ones by supporting measures to stem and stop the epidemic of gun violence. They wrote, "In the midst of our anguish we are compelled to speak out to save others from suffering what we have endured."

These brave families have come to Washington to tell their stories. They sat in this very gallery. They met with colleagues. Some of our colleagues refused to meet with them. I urged them to share some of their hurt and meet with them, to hear their stories. We owe them tremendous respect and gratitude. They enabled us to come to this point where we are close to making fundamental changes in the law.

But in April, that day of the vote was a day of shame because the Senate turned its back on the families of Newtown while some of them watched in this very gallery. How to explain to those families or try to explain how 90

percent of the American people could be in favor of reasonable, commonsense measures that we proposed—background checks on all firearms purchases and a ban on illegal traffic and straw purchases, on assault weapons, and on excess capacity magazines—how 90 percent of the people could be in favor of those kinds of commonsense measures, most especially the background checks, yet the Senate failed to pass it.

Those families have been resolute and resilient at every turn. Mark Barden, whose son Daniel was killed 6 months ago at Sandy Hook, wrote:

We are not defeated. We will always be here because we have no other choice.

Despite their profound and harrowing loss, those parents, husbands, wives, sisters, brothers, grandmothers have kept faith and they have inspired us to keep faith. They uplifted us and their determination has meant the world to colleagues who have heard them, and as an example of grace under pressure and courage and strength, they have refused to give up.

They will not give up, nor will we. We are coming back for another vote. We will not allow that vote to be the final one. It may be the first one, but it is not the final one, and we will win the last vote, which is the one that counts.

In the meantime many of my colleagues have stood up to the special interests and most especially the NRA, which was accustomed to having its way and holding sway in this body, in Congress, just as a schoolyard bully would. My colleagues have stood up to that bully once and will do it again. This time we will win.

What happened in Newtown could happen anywhere in America. If it happened there, it can happen in any town or city, and it has, in fact, claimed the lives of 4,900 people since Newtown. Gun violence has claimed their lives. I am constantly shocked and saddened by how quickly that number rises each time I speak about this topic. Just last week a man armed with semiautomatic AR-15 assault rifle and more than 1,300 rounds of ammunition, opened fire at a Santa Monica college and killed five people.

The stories about Newtown, about all of the massacres since and before—whether Columbine or Virginia Tech or Arizona and Tucson—affirm that these laws can help save lives. These laws can help save lives.

Six months ago I left the firehouse at Sandy Hook to attend a vigil at a church in Newtown. The church was St. Rose of Lima, presided over by Father Bob, Msgr. Robert Weiss. The church was filled. It was a powerful and moving experience. People listened to the service through the windows and the PA system outside.

I said that evening the world is watching Newtown. In fact, for 6 months the world has watched Newtown. It has seen a story of unparalleled and unprecedented courage and

fortitude. Now we will continue to watch Newtown. But the world is also watching the Senate. We need to be worthy of the courage and strength that Newtown has demonstrated in moving ahead.

I thank the majority leader HARRY REID and all of my colleagues who have determined that we will bring this bill back, not only to honor the memories of the Newtown victims and keep faith with them but also to make this country better and safer, worthy of these children, beautiful and innocent at the time of their passing with all of their future ahead of them. There were educators who worked for their whole professional lives, trying to help children such as these young people.

Out of that grief and pain we can make America safer and stronger. We can make America better. That is the potential legacy of these lost lives, a better and safer America. If we achieve it, they will not have died in vain.

I yield the floor.

Mr. MURPHY. Madam President, I join my colleague from Connecticut on the floor of the Senate to commemorate a sad day; 6 months since the shootings in Newtown took the lives of 20 6- and 7-year-olds and 6 of the teachers charged with protecting them. I know you share in our sadness, Madam President, since it was not too long afterwards that your State went through a tragedy of smaller and bigger proportions.

We have to wonder, 6 months later, after these families, the brothers and the sisters and the moms and the dads of these victims coming down to the Senate, over and over again, including this week, looking Senator after Senator, Congressman after Congressman, in the eye and asking for this place to learn something from this tragedy—we wonder how 6 months later we have done nothing. We wonder how, if 20 little kids dying at the hands of a mad man with a gun over the course of 5 or 10 minutes doesn't move this place to action, what would? What visit to your office, what message, what story, what set of facts could possibly make this place change the laws that have allowed for these slaughters—plural—over and over again to happen?

It is 6 months later and we have done nothing. At least on the Senate floor we raised the bill, we put it on for debate, we got 55 votes, and the rules prevented us from getting it passed. The House down the hall has done absolutely nothing. They have not lifted a finger to move legislation for 6 months, 6 months later, and no answer to these families.

I was there with Senator BLUMENTHAL that afternoon in that firehouse. Those are moments I would, a lot of days, love to have never lived—things I did not need to see. But it changed my life and committed me to action.

It commands us to understand that the most shallow argument that has been posed, I would argue the most

backward argument that has been posed over the last 6 months, is that, yes, these terrible things happen—the most terrible of them we are marking the 6-month anniversary of—but there is nothing we could do here that would change that; that very bad things are going to happen to good people, to good first grade students, but that nothing here is going to truly change any of that.

That is just flat wrong. It should not be every 6 months that we come to the floor to try to rebut that argument. It should be every day. Because in Columbine, the guns that were bought to slaughter those high school students were bought outside of the background check system—intentionally so, because the person who bought them knew if they went into a legitimate gun store they would not be able to purchase the guns that were being requested, so they went to a gun show, around the background check system.

We know different laws would change things because in Aurora the shooter went in with a 100-round drum and the shooting stopped and people escaped, including a couple of my constituents, because the gun jammed. They had trouble switching these massive ammunition clips.

In Newtown, we know the power of the gun that was used. These assault weapons are all over the place today. They have become commonplace. But it does not belie the fact that they still have a power to kill that few other guns do, so much so that when Lanza walked into that school that day, fired over 150 rounds, shot 20 kids, not a single one of them survived. Every kid he shot died, in part because of the power of that gun. That same day a very sick man walked into a school in China, armed with a weapon, attacked over 20 children and every single one of them lived. That guy had a knife.

Assault weapons, if we continue to allow them to ripple throughout our streets, lead to mass slaughters. High-capacity ammunition clips, when somebody chooses to engage in one of these massacres, allow more people to be killed. Our failure, over and over again, to pass comprehensive background checks is unacceptable, given the number of criminals and the number of people with severe mental illness who are still allowed to get guns over the Internet or in gun shows; 6 months and we have done nothing.

But I stand here, frankly, more optimistic about human nature than I was 6 months ago, not less optimistic. I might be less optimistic about this place and about the Congress, but I am more optimistic about the indomitable human spirit than I was when this started out.

Senator BLUMENTHAL said it best. That 10 minutes of grievous violence, mental illness masquerading as evil inside that school, was essentially enveloped by the millions of acts of humanity that just flowed forth from Newtown, from Connecticut, from all over

the country, whether it was the heroism of those teachers, whether it was the firefighters, the volunteer fighters who stayed at that firehouse for days or weeks on end with no pay or just the thousands of gifts—teddy bears, small tokens of appreciation of the community that came from all over the country.

People are good. They truly are. Despite what that young man did, it reaffirmed my faith in who we are.

Last Friday night, the Sandy Hook Fire Department had their big annual fundraiser. Some people wondered whether they would do it. First of all, they said they were going to do it because they were not going to start changing the way they did things and, second, they needed the money because they expended a lot of effort and equipment and resources in responding to this tragedy. On Friday we had an absolute deluge in New England. It was raining cats and dogs all day. There was no reason they should have gone forward on Friday night with that lobster bake at the Sandy Hook firehouse, but they decided to put it on, and I went, despite thinking there were going to be about six people inside that firehouse. It was packed, jammed full of people, not just from Newtown but from all over New England who came down on a torrentially raining evening to show their support for those firefighters, for that community, and for those families. That is what defines Newtown.

Six months later, we know the headlines still read about the 26 kids and adults who lost their lives there. But what we know Newtown to be today is a place full of love, full of compassion, and—though not maybe today yet—a place that will, 1 year, 5 years, 10 years down the line be defined by resiliency.

I wish we weren't down here commemorating 6 months. I wish we weren't down here commemorating nothing having been done over the course of 6 months. But we are not going away. We are not giving up. The families who were down here this week didn't turn into advocates for 4 months, they turned into advocates for 40 years, and they will be back again and again until we have an answer for these mass tragedies and for the 5,033 people who have died at the hands of guns since December 14—6 months ago.

I yield back the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, first of all, I wish to thank the Presiding Officer, the distinguished Senator from Delaware, who is not only an out-

standing Member of the Senate, but he is the chairman of the homeland security committee. He has gone out of his way to understand the issues we face when we are addressing border security. The chairman was kind enough to visit the border between Arizona and Sonora, Mexico, and spent a lot of time with us and with the people who are entrusted to secure the border. He made some remarks I think were entirely accurate about the challenges we face in enforcing our border. So I wish to again thank the distinguished chairman of the homeland security committee.

I wish to address a few aspects of comprehensive immigration reform that need to be discussed. First of all, everybody says—and I say it too—we don't want to return to 1986 because in 1986 we guaranteed the American people we would secure the border, and it would never happen again. Well, the fact is, when we look at what we did in 1986—and I will, first of all, plead guilty for having voted for it—the only mandate in the entire legislation which gave “amnesty” to 3 million people was:

Of the amounts authorized to be appropriated under paragraph one, sufficient funds shall be available to provide for an increase in the Border Patrol personnel of the Immigration and Naturalization Service so that the average level of such personnel in each of the fiscal years 1987 and 1988 is at least 50 percent higher than such level for fiscal year 1986.

Let me translate that. It meant we would increase the Border Patrol. That was the only mention of how we were going to secure the border after we gave amnesty in 1986. And at that time, I say to my colleagues, the cost, as I mentioned, was 50 percent higher. The Border Patrol has to be 50 percent higher.

Well, the number of Border Patrol agents in 1986 was 4,000—4,000. Now we have 21,000. So there was really nothing in the 1986 bill about fencing, about sensors, about other ways to get our border secure. So we learned from that.

We learned from that, and this legislation that recently passed through the Judiciary Committee and is now on the floor, as compared with 1986 where they said they would increase the numbers of Border Patrol agents by 50 percent—this legislation appropriates \$3 billion in funding for the comprehensive southern border security strategy. No one who is in RPI status will be able to petition for a green card until certain requirements are fulfilled, including the following: E-Verify in use by all employers, an entry-exit system in place, \$1.5 billion in additional funding for the southern border fencing strategy that has to be submitted within 180 days of passage of this legislation and signed by the President.

It sets the goal of a 90-percent effectiveness rate for all southern border States. If that goal is not reached within 5 years, there will be a bipartisan commission formed and authorized to spend \$2 billion in additional funds to secure the border.

It will add an additional 3,500 Customs and Border Patrol agents. Remember, in 1986, there was a total of 4,000.

It will authorize the National Guard to provide assistance along the border if requested. The National Guard has had tremendous success on our border. No, they don't carry weapons, but they do incredibly important work, and I am glad they don't carry weapons, to tell the truth.

The bill funds additional Border Patrol stations and forward operating bases.

It increases something called Operation Stonegarden funding, which is vital, in my view, in disincentivizing people to frequently cross the border, and strengthens Border Patrol training.

It authorizes funds to triple the border-crossing prosecutions in the Tucson sector. Why do I mention the Tucson sector? Not because I am from the State of Arizona but because the Tucson sector for years has been a major thoroughfare for both people and drugs.

The current bill will authorize funds to help States and localities incarcerate criminal unauthorized illegal immigrants.

It grants the Department of Homeland Security access to Federal lands. That is a problem on our border, where we have an Indian reservation that is right on the border. They are sovereign nations, and this will authorize a greater ability for us to have access to those lands. There are wildlife refuges we need access to as well.

The bill removes the discretion from the Secretary of Homeland Security to develop the southern border strategy and provides the minimum requirements recommended by the Border Patrol. Those are the people on the ground. These are the people who today, in 120-degree heat at the Sonora, AZ, border, are sitting in vehicles and patrolling our border to keep our Nation secure. This is recommended by them and must be included in the strategy that we want to achieve and must achieve, which is 100 percent situational awareness of each and every 1-mile segment of the southern border.

The technology list will include, but is not limited to, sector-by-sector requirements for integrated fixed towers, VADER radar systems. These radar track people back from where they came.

The list includes unmanned aerial systems—what we know as drones—fixed cameras, mobile surveillance systems, ground sensors, handheld thermal imaging systems, infrared cameras, thermal imaging cameras, license plate readers, and radiation detection systems. All of these are part of this legislation and the billions of dollars we are going to spend to improve border security. We all admit the border is more secure, but where I disagree with the Secretary of Homeland Security is that it is not secure enough.

So we want to prevent the adjustment of status RPI, which is registered

permanent status, for people who will be granted it once the passage of this bill is achieved until that strategy is deployed and operational—deployed and operational. This is just to achieve a legal status in this country; also, a technology list before anybody can adjust RPI to green card status.

It removes the sole discretion from the Department of Homeland Security to certify the strategy is complete. It requires written, third-party certification to the President and Congress that affirms the elements required by the strategy are operational and capable of achieving effective control of the border.

With these tools in place, we can achieve situational awareness and be guaranteed this technology is deployed and working along the border. So I say to my friends who say we do not have sufficient provisions for border security, we will be glad to do more, but let's look at this.

Look at what we are doing: billions of dollars of technology as well as additional people, as well as other measures, including the E-Verify. The magnet that draws people to this country is jobs, and if the word is out that unless an E-Verify is in operation—unless a person can get a job in this country they are not going to come here unless it is through a legal means and not through illegal means.

We are a nation of immigrants. I would remind my colleagues again, 40 percent of the people who are in this country illegally did not cross our border. They came on a visa that expired. So we need to have footprints and other physical evidence of illegal crossings. It is a tool for Border Patrol agents to identify and locate illegal border crossers. But it is imprecise. That is why we need to have this technology, so we can surveil and have situational awareness of the entire border.

The General Accounting Office is an organization all of us over time begin to rely on enormously, and I will quote from them:

In terms of collecting data, Border Patrol officials reported that sectors rely on a different mix of cameras, sign cutting—

That is tracking footprints—credible sources, and visual observation to identify and report the number of turn backs and gotaways.

Turnbacks are those we catch and turn back, and gotaways are those we see come across and do not apprehend.

Again, quoting the GAO:

According to Border Patrol officials, the ability to obtain accurate or consistent data using these identification sources depends on various factors such as terrain and weather. For example, data on turn backs and gotaways may be understated in areas with rugged mountains and steep canyons that can hinder detection of illegal entries. In other cases, data may be overstated—for example, in cases where the same turn back identified by a camera is also identified by tracks. Double counting may also occur when agents in one zone record as a gotaway an individual who is apprehended and then

reported as an apprehension in another zone. As a result of these data limitations, Border Patrol headquarters officials said that while they consider turn back and gotaway data sufficiently reliable to assess each sector's progress toward border security and to inform sector decisions regarding resource deployment, they do not consider the data sufficiently reliable to compare—or externally report—results across sectors.

That is why we need this technology.

Now, I wish to point out that from the Border Patrol, not from the Department of Homeland Security, I got a detailed list of what they believe is necessary, using their experience, as to the specific equipment and capabilities they need on each of the nine sectors of the border.

For example, in the Arizona sectors, including Yuma and Tucson, we need 56 towers, 73 fixed camera systems, 28 mobile surveillance systems, 685 unattended ground sensors, and 22 handheld equipment devices.

At points of entry or checkpoints we need one nonintrusive inspection system, and the list goes on. It is a specific list of what the Border Patrol believes we need in each of the nine sectors on our southern border in order to give us 100 percent situational awareness and put us on the path to a 90-percent effective control of the border.

So I say to my friends who say we cannot control our border, I respectfully disagree because of what we are doing in this legislation. And those who say we are unable to keep track of what goes on at our border, I would argue that the minimum requirements to be included in the southern border security strategy as provided by the Border Patrol should convince anyone of what we need.

I ask unanimous consent that these minimum requirements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MINIMUM REQUIREMENTS TO BE INCLUDED IN THE SOUTHERN BORDER SECURITY STRATEGY

ARIZONA (YUMA AND TUCSON SECTORS)

BETWEEN THE PORTS OF ENTRY

50 Integrated Fixed Towers (with relocation capability)

73 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems

28 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems

685 Unattended Ground Sensors, including seismic, imaging, and infrared

22 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.

AT POINTS OF ENTRY, CHECKPOINTS

1 Non-intrusive Inspection System

7 Fiber-optic Tank Inspection Scopes

19 License Plate Readers, including mobile, tactical, and fixed

2 Backscatter

14 Portable Contraband Detectors

2 Radiation Isotope Identification Devices

18 Radiation Isotope Identification Devices updates

16 Personal Radiation Detectors

24 Mobile Automated Targeting Systems

3 Land Automated Targeting Systems
AIR AND MARINE
3 VADER radar systems
6 Air Mobility Helicopters
SAN DIEGO
BETWEEN THE PORTS OF ENTRY

3 Integrated Fixed Towers (with relocation capability)
41 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
14 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems
393 Unattended Ground Sensors, including seismic, imaging, and infrared
83 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.

AT POINTS OF ENTRY, CHECKPOINTS
2 Non-intrusive Inspection Systems, including fixed and mobile
1 Radiation Portal Monitor
AIR AND MARINE

2 Aerial Downlink Communication Systems
12 Night Vision Goggles
5 Forward Looking Infrared Radar Cameras
2 Search Radar
1 Long Range Thermal Imaging Camera
3 Radar for use in the maritime environment
1 Day Color Camera
3 Cameras for use in the maritime environment
1 Littoral Detection & Classification Network

EL CENTRO
BETWEEN THE PORTS OF ENTRY
66 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
18 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems
85 Unattended Ground Sensors, including seismic, imaging, and infrared
57 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.
2 Sensor Repeaters
2 Communications Repeaters

AT POINTS OF ENTRY, CHECKPOINTS
5 Fiber-optic Tank Inspection Scopes
1 License Plate Reader
1 Backscatter
2 Portable Contraband Detectors
2 Radiation Isotope Identification Devices
8 Radiation Isotope Identification Devices updates
3 Personal Radiation Detectors
16 Mobile Automated Targeting Systems

AIR AND MARINE
2 Aerial Downlink Communication Systems
3 Aerial Receiver Communication Systems
2 Forward Looking Infrared Radar Cameras
1 Unmanned Aerial System

EL PASO
BETWEEN THE PORTS OF ENTRY
27 Integrated Fixed Towers (with relocation capability)
71 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
31 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems

170 Unattended Ground Sensors, including seismic, imaging, and infrared
24 Handheld equipment devices, including handheld thermal imaging systems and night vision goggles.
1 Portable Camera Tower
1 Sensor Repeater
2 Camera Refresh

AT POINTS OF ENTRY, CHECKPOINTS
4 Non-intrusive Inspection Systems, including fixed and mobile
23 Fiber-optic Tank Inspection Scopes
1 Portable Contraband Detectors
19 Radiation Isotope Identification Devices updates
1 Real time Radioscopy version 4
8 Personal Radiation Detectors

AIR AND MARINE
1 Aerial Downlink Communication Systems
7 Aerial Receivers
24 Night Vision Goggles
4 Forward Looking Infrared Radar Cameras
20 Global Positioning Systems
17 UAS Radio Systems

BIG BEND
BETWEEN THE PORTS OF ENTRY
7 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
29 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems
1105 Unattended Ground Sensors, including seismic, imaging, and infrared
131 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles
1 Mid-range Camera Refresh
1 Improved Surveillance Capabilities for existing aerostat
27 Sensor Repeaters
27 Communications Repeaters

AT POINTS OF ENTRY, CHECKPOINTS
7 Fiber-optic Tank Inspection Scopes
3 License Plate Readers, including mobile, tactical, and fixed
12 Portable Contraband Detectors
7 Radiation Isotope Identification Devices
12 Radiation Isotope Identification Devices updates
254 Personal Radiation Detectors
19 Mobile Automated Targeting Systems
AIR AND MARINE
6 Aerial Receiver Communication Systems
3 Forward Looking Infrared Radar Cameras
UAS Radio Systems

DEL RIO
BETWEEN THE PORTS OF ENTRY
3 Integrated Fixed Towers (with relocation capability)
74 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
47 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems
868 Unattended Ground Sensors, including seismic, imaging, and infrared
174 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles
26 Mobile/Handheld Inspection Scopes and Sensors for checkpoints
1 Improved Surveillance Capabilities for existing aerostat
21 Sensor Repeaters
21 Communications Repeaters

AT POINTS OF ENTRY, CHECKPOINTS
4 License Plate Readers, including mobile, tactical, and fixed

13 Radiation Isotope Identification Devices updates
3 Mobile Automated Targeting Systems
6 Land Automated Targeting Systems
AIR AND MARINE
8 Aerial Receiver Communication Systems
15 Night Vision Goggles
7 Forward Looking Infrared Radar Cameras
3 Forward Looking Infrared Radar Cameras with marine capabilities

LAREDO
BETWEEN THE PORTS OF ENTRY
2 Integrated Fixed Towers (with relocation capability)
69 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
38 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems
573 Unattended Ground Sensors, including seismic, imaging, and infrared
124 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles
38 Sensor Repeaters
38 Communications Repeaters

AT POINTS OF ENTRY, CHECKPOINTS
1 Non-intrusive Inspection System
7 Fiber-optic Tank Inspection Scopes
19 License Plate Readers, including mobile, tactical, and fixed
2 Backscatter
14 Portable Contraband Detectors
2 Radiation Isotope Identification Devices
18 Radiation Isotope Identification Devices updates
16 Personal Radiation Detectors
24 Mobile Automated Targeting Systems
3 Land Automated Targeting Systems

AIR AND MARINE
6 Aerial Receiver Communication Systems
2 Remote Video Terminals
3 Forward Looking Infrared Radar Cameras
6 Forward Looking Infrared Radar Cameras with marine capability
2 Medium Lift Helicopters

RIO GRANDE VALLEY
BETWEEN THE PORTS OF ENTRY
1 Integrated Fixed Towers (with relocation capability)
83 Fixed Camera Systems (with relocation capability), which include Remote Video Surveillance Systems
25 Mobile Surveillance Systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems
716 Unattended Ground Sensors, including seismic, imaging, and infrared
205 Handheld Equipment Devices, including handheld thermal imaging systems and night vision goggles.
4 Portable Camera Towers
4 Sensor Repeaters
1 Communications Repeater
2 Camera Refresh

AT POINTS OF ENTRY, CHECKPOINTS
1 Mobile Non-intrusive Inspection System
11 Fiber-optic Tank Inspection Scopes
1 License Plate Reader
2 Backscatter
2 Card Reader System
8 Portable Contraband Detectors
5 Radiation Isotope Identification Devices
18 Radiation Isotope Identification Devices updates
135 Personal Radiation Detectors
AIR AND MARINE
3 VADER Radar Systems
2 Aerial Downlink Communication Systems

12 Aerial Receiver Communication Systems
 2 Forward Looking Infrared Radar Cameras
 3 Omni-directional Antennae
 28 Forward Looking Infrared Radar Cameras with marine capabilities
 1 Unmanned Aerial System

Mr. MCCAIN. I see my distinguished friend from Vermont on the floor, who is always worth listening to, so I will be brief.

I wish to share with our colleagues another aspect of this problem that we really have not talked about very much, and that is the issue of drugs. Drugs are a problem of enormous proportion in this country. We see the effects of illegal drugs such as methamphetamine and others, and we see it is doing incredible damage to our Nation and particularly to our young people.

This document is called the Arizona High Intensity Drug Trafficking Area Threat Assessment of 2013. Now, I am not going to go into a lot of the details, but there are some stark facts about the flow of drugs across our southern border that should disturb all of us. I quote:

The Tucson and Phoenix areas remain the primary distribution hubs for ton quantities of marijuana in the southwest region—

Ton quantities of marijuana in the southwest region—

as Tucson and Phoenix-based sources sell throughout the United States.

In other words, the drugs come up across the Arizona-Sonora border, they are tracked by guides on mountaintops and into Phoenix, and from Phoenix they are distributed throughout the country.

The Phoenix field DEA—Drug Enforcement Agency—Phoenix field division's biannual drug price list for 2012 indicates marijuana in the Tucson and Phoenix metropolitan areas remained stable during the period January 2011 to 2012.

Why is that important? Because the only real indication as to whether we are reducing a supply is the price of that supply. So when we see the price of marijuana on the street in Phoenix and Tucson is exactly what it was for the entire year, no matter what we see in the papers and on television of these large apprehensions, unless the price is going up, then we are not apprehending these drugs.

So I just want to mention a couple of other facts to my colleagues and why I think we are not addressing the drug problem sufficiently in this legislation.

The assessment continues:

The retail price of methamphetamine decreased in the Phoenix area and now ranges from \$500 to \$1,000 per ounce.

If there is a terrible drug on the market today, it has to be methamphetamine. I am told that one—one—ingestion of methamphetamine makes a person an addict. So what have we been able to do as far as methamphetamine? The retail price of methamphetamine decreased, which obviously means the

supply has certainly not been impacted.

Wholesale black tar heroin prices in Arizona have remained stable or decreased slightly, including market stability.

Only 35 percent of the HIDTA—

The high density trafficking area—

respondents reported high cocaine availability in their respective jurisdictions. Intelligence indicates cocaine price increases in Mexico and Arizona during the past year may have impacted the supply of cocaine to the Arizona drug market, thus impacting other drug markets.

So that is good news.

Continuing to read from the threat assessment: The price per kilogram of cocaine increased \$5,000 to \$6,000 per kilogram in the Phoenix area.

My friends, I know my colleagues are very busy, but I would at least have your staff read this threat assessment of 2013 in the State of Arizona. Again, I do not say that because I represent the State of Arizona. But these same people—the Drug Enforcement Agency—will tell you still the bulk of illegal drugs crossing our southern border comes through the Arizona-Tucson sector.

So what is my recipe on this situation? Frankly, I do not know a real good recipe because clearly demand is either stable or on the rise in the United States of America depending on to whom you talk. In some places in America, the use of drugs is glamorized. In some places, it is kind of the sophisticated thing to do. I do not think there is any doubt that there are influences in the United States of America that increase the attractiveness of drugs to our citizens.

I am not saying I know the answer, but I do think that as we address the issue of border security, we have to understand that if there is a demand for drugs in the streets of every major city in America, they will use all ultralights, they will use submarines, they will use tunnels, they will do whatever is necessary in order to get that supply to where there is a market.

I will never forget being down in Colombia, where the government people there showed me a submarine the drug cartel people had built—a very sophisticated submarine. They had hired engineers to build it. It was one that travels under the water—not far but under the water.

I said: How much did it cost them to build this?

He said: Five million dollars.

I said: Five millions dollars. That is a lot of money.

The guy said: They make \$15 million in one load—in one load.

So I am not coming to this floor with a lot of answers, but I am coming to the floor of this Senate and saying that the drug issue in this country is a serious one, and if anybody thinks we are reducing the supply of those drugs, I think the facts contradict that, and it is time we started seriously as a society addressing what is killing our young and old Americans.

So, again, I thank my colleagues for their consideration of this legislation. I really came to the floor to convince them that this is a far different situation from 1986. We have gone from 4,000 border agents to 21,000. We have put in all kinds of barriers to the border. But, most importantly, as the Presiding Officer from Delaware pointed out earlier today, we now have technology that can surveil and interdict people from crossing our border. Our challenge is to get it done.

I thank my colleague from Vermont for his patience, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me congratulate Senator MCCAIN for all of his hard work in the Gang of 8 and his focus on border security, which is an enormously important issue.

As the son of an immigrant—my dad came to this country at the age of 17 from Poland—I strongly support the concept of immigration reform, and I applaud the Judiciary Committee and all of those people who have been working hard on this legislation.

There are a lot of provisions within this bill that I think should be strongly supported by the American people.

I strongly support a pathway to citizenship for the 11 million undocumented immigrants in this country. Bringing undocumented workers out of the shadows and giving them legal status will make it more difficult, among many other things, for employers to undercut the wages and benefits of all workers and will be good for our entire economy—a very important step forward.

I strongly support the DREAM Act to make sure the children of illegal immigrants who were brought into this country by their parents years ago are allowed to become citizens.

I strongly support providing legal status to foreign workers on family farms. Dairy farmers in Vermont and the owners of apple orchards in my State have told me that without these workers, they would go out of business, and it is obviously true in many parts of this country.

We also need to make sure, as Senator MCCAIN has just elaborated, that our borders are more secure and prevent unscrupulous employers from hiring those who have come here illegally.

All of those provisions are extremely important, are included in the legislation passed out of the Judiciary Committee last week, and are provisions I support. I commend my colleague from Vermont Senator PAT LEAHY for his leadership on those issues. But let me tell you some of what concerns me very much about the bill as it presently stands.

At a time when nearly 14 percent of the American people do not have a full-time job, at a time when the middle class continues to disappear, and at a time when tens of millions of Americans are working longer hours for lower wages, it makes no sense to me

that the immigration reform bill includes a massive increase in temporary guest worker programs that will allow large corporations to import and bring into this country hundreds of thousands of temporary blue-collar and white-collar guest workers from overseas. That makes no sense to me.

I am particularly concerned that at a time when college is becoming increasingly unaffordable—and every parent out there with a high school kid is worried about how that family is going to afford college for their kids—at a time when young people desperately need jobs to help pay for the cost of a college education, this bill will make it more difficult for young Americans to find the jobs they need.

Today, youth unemployment is over 16 percent, and the teen unemployment rate is over 25 percent. Unfortunately, many of the jobs that used to be performed by young Americans are now being done by foreign college students through the J-1 Summer Work Travel Program and the H-2B guest worker program.

Millions of Americans, including myself—and I suspect many Members of Congress—earned money when they were young at summer jobs or at part-time jobs when they were in college in order to pay for the cost of college. Some Americans today are working as waiters and waitresses. They are working as lifeguards. They are working as front-desk clerks at hotels and resorts. They are working as ski instructors, as cooks, chefs, kitchen personnel, chambermaids, landscapers, and many other similar jobs. And there is nothing any American has to be embarrassed about at working at any of those jobs or any other job in order to earn some income to pay the bills or to make some money in order to afford to go to college. There is nothing anybody should be ashamed about doing that kind of work. What I worry about very much is the degree to which those jobs will be available for young Americans as a result of the J-1 program and the H-2B program.

It pains me very deeply that with minority unemployment extraordinarily high—I was just in Detroit last week talking to kids who are working so hard, and they are working for \$7.25 an hour at McDonald's or other fast food places—if they are lucky enough to get that work. Many of them would like to go to college but are unable to earn the money they need in order to go to college. It seems to me terribly wrong that we have programs such as this J-1 Summer Work Travel Program which brings students from all over the world into the United States to take jobs that young Americans want to do.

The J-1 program for foreign college students is supposed to be—is supposed to be—used as a cultural exchange program, a program to bring young people into this country to learn about our way of life, our customs, and to support international cooperation and understanding. Those are extremely im-

portant goals. I believe in that passionately. When I was mayor of the city of Burlington, we started sister-city programs with towns around the world in order to develop that type of understanding and cooperation. That is the theory of what the J-1 program is supposed to be, and a wonderful goal it is.

Unfortunately, that is not what it is today. Today the J-1 program has morphed into a low-wage jobs program to allow corporations such as Hershey's and McDonald's and many others to replace young American workers with cheaper labor from abroad. Each and every year companies from all over this country are hiring more than 100,000 foreign college students in low-wage jobs through the J-1 Summer Work Travel Program.

Unlike other guest worker programs, the J-1 Summer Work Travel Program does not require businesses to recruit American workers for these positions, offer jobs to willing and able Americans first, or to pay prevailing wages. In other words, if there are jobs out there that our young people would like to get in order to put aside a few bucks or help pay for the cost of a college education, the employer is not obliged to reach out to these young Americans. It is one thing for an employer to say: Look, I reached out, tried to get some young people to do this job, could not find them, and I had to go abroad. I can understand that. But that is not the requirement of this J-1 program.

Let me read from a Web site of a foreign labor recruiter touting the benefits of using the J-1 Summer Work Travel Program to employers in the United States. This Web site is called jobofer.org. This is one, as I understand it, of many. But here is what it says. I quote from the Web site jobofer.org. This is going to employers who need unskilled workers for the summer.

Whether you are running an amusement park, a water park, a concessions stand, a golf club, a circus, a zoo, or anything else where people come to enjoy themselves, it's a great idea not to miss the opportunities of the season and hire international seasonal workers to cover your growing staffing needs.

International seasonal workers.

Jobofer.org has experience in matching candidates from foreign exchange students with amusement firms all over the USA, covering every type of entry level position you may want to cover with seasonal staffing.

The Work And Travel USA program allows exchange students from abroad to work in the US for up to 4 months during the buzz season under a J1 visa.

Jobofer.org is committed to understanding your needs as an amusement business and handling all the seasonal staffing procedures for you, at absolutely no cost. Check out the list of positions typically filled with international exchange students . . .

Now, what this Web site is doing is telling employers—in this case, they are just focusing on amusement parks, but obviously it goes much beyond that into all kinds of resorts, many other areas—but what they are simply saying is that we need unskilled labor.

One knows that historically in this country that is what young people did.

When you were in high school, when you were in college, you would try to make a few bucks. You go out and you get a summer job. Maybe you could earn a couple of thousand dollars. Maybe it starts you on a career or maybe it is money to put aside to go to college. I did it. Many Members of the Senate did it. Millions of young people in this country want to do it.

What these companies are saying is: You do not need to hire kids in your community anymore. You do not have to reach out to minority kids who desperately need a job, to kids in Vermont who want to put away a few bucks to go to college. You do not have to do that anymore. We will help you bring in young people from all over the world to do those jobs.

One of the arguments we hear on the floor is we need highly skilled workers because high-tech companies cannot attract the scientists and the engineers and the physicists and the mathematicians they need. When we bring them in, these guys are going to help create jobs in America. Maybe. That is a whole other issue for discussion. But nobody can tell me we need to bring young people from all over the world to work at entry-level jobs because there are not young Americans who want to do that job, when the unemployment rate of young people in this country is extraordinarily high. Nobody with a straight face can make that claim.

Here are some of the jobs being advertised on this very same Web site. There are many Web sites like it. This one focuses on jobs within the amusement industry: Ride operators/attendants, game operators, food service—flipping hamburgers—lifeguard. I guess we have no young people in America who are capable of being lifeguards. Nobody in America can swim and get a job as a lifeguard. I guess we need to bring people from all over the world to be lifeguards. Guest relations, admissions, security, games and attractions, merchandise, grounds quality, season pass processor, entertainment wardrobe, warehouse, safari gatekeepers and wardens, parking lot attendant. I guess nobody in America could be a parking lot attendant. Landscape, cash control.

Here is the interesting point. The Web site, after mentioning all of those jobs specific to the amusement industry, asks the following questions: What happens—interesting question. What happens when you use seasonal employment for your theme or amusement park? Here is the answer this foreign labor recruiter gives on its Web site:

You cover your seasonal staffing needs with young, highly motivated, English-speaking international staff from 18 to 28 years old and cut costs by paying fewer taxes.

Got that? You can bring in international workers, students from abroad, and one of the advantages you have is you pay lower taxes on that foreign worker than you do for an American worker.

In fact, under the J-1 Summer Work Travel Program, employers do not have to pay Medicare, Social Security, and unemployment taxes, which amounts to a payroll savings of about 8.45 percent per employee. What a bargain. So we are enticing—we are giving an incentive to a company to bring foreign workers into this country and saving them money by hiring foreign workers at the expense of young Americans who certainly can do those jobs.

Under the J-1 program, employers do not have to pay Social Security and Medicare payroll taxes. They do not have to pay unemployment taxes. They do not have to offer jobs to Americans first. They do not have to pay wages that are comparable to what American workers make. What employer in America would want to hire a young American as a lifeguard or a ski instructor or a waiter or a waitress, or any other low-skilled job, when they can hire a foreign college student instead at a significant reduction in cost?

I understand the immigration reform bill we are debating reforms this program by requiring foreign labor recruiters to pay a \$500 fee for every foreign college student they bring into this country. Right now, foreign college students bear all of these costs. But in my opinion, that is not good enough. This program is a real disservice to the young people in this country.

I believe in cultural exchanges. I would put a lot more money into cultural exchanges so our young people can go abroad, so young people from all over the world could attend our high schools. That would be a great thing. But that is not what this J-1 program is. It is a program which is displacing young American workers at a time of double-digit unemployment among youth, and it is putting downward pressure on wages at a time when the American people are in many cases working longer hours for lower wages.

In my opinion, this particular program should be abolished. Cultural program, yes; but bringing in young people to take jobs from young Americans, no. At the very least, if we are not going to abolish this program, we need to make sure we have a comparable summer and year-round jobs program for our young people in order to help them pay for college and to move up the economic ladder. At the very least, that is what should be in this bill.

That is why I will be filing an amendment today to the immigration reform bill to create a youth jobs program. My amendment would provide States with \$1.5 billion in immediate funding to support a 2-year summer and year-round jobs program for low-income youth and economically disadvantaged young adults. This amendment is modeled on the summer and year-round youth jobs program included in President Obama's American Jobs Act.

This amendment would build on the success from the American Recovery

and Reinvestment Act, which provided \$1.2 billion in funding for the WIA Youth Jobs Program. This program created over 374,000 summer job opportunities during 2009 and 2010 for young Americans who desperately needed those jobs. This amendment, in fact, would create even more jobs.

Let me be very clear. The same corporations and businesses that support a massive expansion in guest worker programs are opposed to raising the minimum wage. They have long supported the outsourcing of American jobs. They have reduced wages and benefits of American workers at a time when corporate profits are at an all-time high. In too many cases, the H-2B program for lower skilled guest workers and the H-1B for high-skilled guest workers are being used by employers to drive down the wages and benefits of American workers and to replace American workers with cheap labor from abroad.

The immigration reform bill that passed the Senate Judiciary Committee could increase the number of low-skilled guest workers by as much as 800 percent over the next 5 years and could more than triple the number of temporary white-collar guest workers coming into this country. That is the basic issue. That is my basic concern. At a time when unemployment is so high, does it make a whole lot of sense to be bringing hundreds of thousands of workers from all over the world into this country to fill jobs American workers desperately need?

The high-tech industry tells us they need the H-1B program so they can hire the best and the brightest science, technology, engineering, and math workers in the world, and that there are not enough qualified American workers in these fields. In some cases—let me be very honest—I think that is true. I think there are some companies in some parts of the country that are unable to attract American workers to do the jobs that are needed. I believe in those instances, corporations should have the right to bring in foreign workers so the corporation can do the business it is supposed to be doing.

But having said that, let me also tell you some facts: In 2010, 54 percent of the H-1B guest workers were employed in entry-level jobs and performed "routine tasks requiring limited judgment," according to the Government Accountability Office. Routine tasks.

So when a lot of my friends here talk about high-tech workers, they are talking about scientists, they are talking about all of these guys who are doing a great job, but that is not necessarily the case. Only 6 percent of H-1B visas were given to workers with highly specialized skills in 2010, according to the GAO. More than 80 percent of H-1B guest workers are paid wages that are less than American workers in comparable positions, according to the Economic Policy Institute.

Over 9 million Americans have degrees in a STEM-related field, but only about 3 million have a job in one. Last

year, the top 10 employers of H-1B guest workers were all offshore outsourcing companies. These firms are responsible for shipping large numbers of American information technology jobs to India and other countries. Half of all recent college graduates majoring in computer and information science in the United States did not receive jobs in the information technology sector. So it seems to me this is an issue we have got to deal with.

The second amendment I will be filing today is with Senators GRASSLEY and HARKIN. That amendment would prohibit companies that have announced mass layoffs over the past year from hiring guest workers unless these companies can prove their overall employment will not be reduced as a result of these mass layoffs. In other words, what we are seeing is a very clear trend. Large corporations are throwing American workers out on the street, and they are bringing in foreign workers to do those very same jobs.

Many of those very same companies have moved parts of their corporate world away from the United States into Third World countries. So this continues the attack on American workers. We must stop it.

Let me give you a few examples as I conclude my remarks. In 2012, Hewlett-Packard, one of the large American corporations, announced it was laying off 30,000 workers at the same time it hired more than 660 H-1B guest workers. In 2012, Cisco laid off 1,300 employees at the same time it hired more than 330 H-1B guest workers. In 2012, Yahoo hired more than 135 H-1B guest workers at the same time it announced it was laying off over 2,000 workers. Research in Motion hired 24 H-1B guest workers at the same time it laid off over 5,000 people.

I think it makes no sense at all that corporations that are laying off American workers are now reaching into the H-1B program to bring in foreign workers.

Let me conclude by saying there is much in this legislation I support and that I believe the American people support. But problems remain. Problems remain. The main problem to me is this guest worker concept which is being widely abused by employers throughout this country. At the very least, I want to see a summer jobs program for our kids who are now losing jobs because of the J-1 program. But we need to do even more than that.

I look forward to working with my colleagues who have worked so hard on this bill to make it a bill that all Americans and all working people can be supportive of.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Arizona.

Mr. McCain. I ask unanimous consent to address the Senate as in morning business and engage in a colloquy with the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. MCCAIN. Mr. President, in a couple of minutes the President of the United States will be announcing it is now conclusive that Bashar al-Asad and the Syrian butchers have used chemical weapons, which is, as we all know, a red line which the President of the United States announced that Bashar al-Asad cannot cross.

Asad has been very clever in using small amounts rather than large amounts. But the fact is we are not the first country to conclude the Asad regime has used chemical weapons in their attacks on the population of Syria.

The President also will announce we will be assisting the Syrian rebels in Syria by providing them with weapons and other assistance. I applaud the President's decision, 93,000 people dead later, over 1 million refugees, and the countries in the surrounding region erupting into sectarian violence, the clear spreading of this conflict into a regional conflict: Sunni, Shia, Saudi, Iran, Russia, all major players.

We see that Jordan is overwhelmed with refugees. Lebanon is experiencing sectarian violence. Iraq is unraveling and the entire region is bordering on chaos, not to mention the massacre and genocide that is taking place in Syria.

I applaud the President's decision, and I appreciate it. The President of the United States had better understand that just supplying weapons is not going to change the equation on the ground of the balance of power. These people, the Free Syrian Army, need weapons and heavy weapons to counter tanks and aircraft. They need a no-fly air zone. Bashar Asad's air assets have to be taken out and neutralized. We can do that without risking a single American airplane. We can do it by cratering the runways with cruise missiles, moving the PATRIOT missiles closer to the border, and protecting a safe zone where they can organize, they can work, and they can coordinate with the civilian side of the Syrian National Army, and they can have a chance of success.

Today—thanks to Iranians, thanks to Russia, thanks to Hezbollah pouring in by the thousands, thanks to people flowing in from all over the Middle East—including from Iraq back into Syria—they are losing. They are being massacred and they are sustaining incredibly heavy casualties. It is terrible.

I applaud the President's decision. I applaud the fact that he has now acknowledged what the French, the others, and all the rest of us knew, that Bashar Asad is using chemical weapons.

Just to provide weapons to the Syrian National Army is not enough. We have to change the equation on the battleground. If I might say, I have seen and been in conflicts where there was gradual escalation. They don't win. If all we are going to do is supply weapons, then there will be a commen-

surate resupply by the Iranians, Russians, and others.

I thank the President for acknowledging the Syrians are using chemical weapons and massacring their own people. I applaud his decision to provide additional weapons.

Every ounce, every bone in my body knows that simply providing weapons will not change the battlefield equation, and we must change the battlefield equation; otherwise, we are going to see a regional conflict, the consequences of which we will be paying for for a long time.

I yield to my colleague from South Carolina.

Mr. GRAHAM. I wish to add my voice to the President's decision to act, because I think action by the United States and the international community is required.

What does it matter to the average American that we contain this war in Syria and that it ends sooner rather than later? As to chemical weapons that have now been acknowledged to be used by Asad against his own people, my goal is to make sure they are not used against us, Israel, or our allies throughout the world. If we don't stop this war, the chemical weapons caches—numbers in the hundreds of thousands of weapons—could be used to be deployed to kill thousands of Americans or Israelis or people who are aligned with us.

The President's decision to intervene comes from an escalation of the use of chemical weapons by Asad. As Senator MCCAIN has indicated, the threats to our country are not just from the chemical weapons but from a regional deterioration.

I say to the sitting President of the Senate today, we were in Jordan. The Jordanian Government has to accommodate over 550,000 Syrian refugees. Sixty thousand Syrian children are attending Jordanian schools. The economy in Jordan is about to collapse. If we lose the King of Jordan, we have lost one of the last moderate voices in the Middle East.

This war has a ripple effect. It is affecting Turkey; it is affecting Iraq. Radical Islamists are flowing in on the Sunni side and Shia side. There are al-Qaida elements that are filling in the vacuum because the war has gone on so long. Now we have Hezbollah, a radical Islamic Shia group. This is turning into a civil war within Syria and a regional conflict.

To the President: Your decision today to get involved is welcome news. But as Senator MCCAIN said, Mr. President, the goal is to end the war. The only way this war is going to end quickly and on our terms is to neutralize the air assets Asad enjoys.

On the air power advantage he has over the rebels, we can crater the runways. There are four air bases he uses. We can stop the planes from flying. We can shoot planes down without having one boot on the ground. That is not necessary.

As to Senator MCCAIN's point, the longer this war goes on, the more damage to our allies, and the more likely the chemical weapons can be used not just against Syrians but against us and others. My biggest fear about the war in Syria is the chemical weapons falling in the hands of radical Islamists. They are closer today than they have ever been in achieving that goal.

Mr. President, you made the right call today. We need to follow up to end this war with neutralizing Asad's air power and having a no-fly zone so the rebels can reorganize. When we supply arms to the rebels, we will look long and hard at who to give the arms to.

The good news is we don't need to give them a bunch of anti-aircraft capability if we crater the runways through the international community using our assets. If we neutralize the air power by blowing up the runways, you don't have to provide the rebels with a bunch of anti-aircraft capability.

If we will provide a no-fly zone using PATRIOT missile batteries, you can protect the people without interjecting massive weapons into the conflict.

Senator MCCAIN has been right about this for a couple of years. This is a big day.

I will conclude with this. Asad is the reason the Russians are providing him more weapons. The reason is Hezbollah is in Syria. The reason the Iranians are so bold is he is clearly winning. It is not in our national interests for him to win because the Israelis cannot allow the technology being sold to Asad by the Russians being present, because it will hurt their national security.

I hope with this intervention today to get involved, after chemical weapons have been used, the tide of the battle will turn. If it doesn't turn, it will have catastrophic results for national security and the region as a whole.

The President chose wisely today to get involved. We support him. The goal is not to help the rebels, the goal is to end the war before chemical weapons can be used against us, we lose the King of Jordan, and the entire Middle East goes up in flames.

Mr. MCCAIN. May I ask my colleague if he remembers when the Secretary of Defense and the Chairman of the Joint Chiefs of Staff appeared before our committee well over a year ago and said, unsolicited, it is inevitable, it is inevitable that Bashar Asad will fall? Does the Senator remember that?

Mr. GRAHAM. Yes.

Mr. MCCAIN. This is from our highest ranking official and from our highest defense official, the Secretary of Defense.

At that time I said: What makes you so sure? How can you be so sure with the help from Hezbollah, with the help from the Russians at the time, the equipment and arms they are getting?

They said: Don't worry. The fall of Asad is inevitable.

Is there anybody today who believes he is going to fall? I don't think so. Because the facts on the ground are he is

winning and the slaughter continues. The latest is 93,000 people have been massacred. As the Senator from South Carolina indicated, there are well over 1 million refugees overwhelming the neighboring countries.

It is my understanding the President has not made the final decision on arming, but he has made the decision that chemical weapons are being used. I think it is obvious they will be providing weapons. They need a no-fly zone. I would say there are military officials in the Pentagon who will say we can't do it, and we have to have total mobilization of every single Reserve in the world and the United States, and it is so hard.

We spend tens of billions of dollars a year on defense. If our military can't establish a no-fly zone, then, by God, American taxpayer dollars have been terribly wasted and we ought to have an investigation as to why we can't handle a situation in a third-rate country. I believe we can, I know we can. I know, because I talked to people, such as the head of our Central Command, a former head of our Central Command, our former head of NATO, and others, such as General Keane, the architect of the surge. We can go in and establish a no-fly zone, and we can change this equation on the battlefield.

Finally, I would ask my colleague, we understand the American people are war weary. They are weary because of what happened in Iraq. We remain in Afghanistan. Iraq is unraveling, by the way, but Americans are weary. They are tired of reading the casualty lists, of the funerals, and the terrible tragedies that have befallen American families. That is why neither I nor the Senator from South Carolina is saying we want boots on the ground. In fact, we don't want boots on the ground. We know it would be counterproductive. We know it would not lead to victory. We do know we can provide incredible assistance and change this battlefield equation.

Finally, because a lot of Americans haven't paid perhaps as much attention as some of us, and maybe because they are war weary, I think it would be wise for the President of the United States to go on national television to explain to the American people why we are stopping this genocide, explain why we are assisting these people who are struggling for the same things we stand for and believe in, why the United States of America went to Bosnia with air power, not boots on the ground, and why we went to Kosovo and didn't put boots on the ground. Explain how we can help these people while alleviating the unspeakable misery of the Syrian people.

Does my colleague from South Carolina agree with that?

Mr. GRAHAM. I would recommend the President educate the American people about what is going on in the Middle East, because it is scary. It is really scary.

The Iranians are marching toward a nuclear weapon. Israel is becoming

more surrounded by radical Islamic nations, not less. The King of Jordan is teetering. If we lose him, God knows what is going to happen in the Middle East.

I would suggest that the President take it one step further. Explain to the American people what happens to us if these chemical weapons Asad has used against his own people fall into the hands of radical Islamists who want to do more than just take care of Syria. My big fear is weapons of mass destruction are going to fall into the hands of radical Islamists either in Iran or Syria if we don't act quickly.

The only reason thousands of Americans have been killed in the war on terror—and not millions—is they can't get the weapons to kill millions of us. If they could, they would.

I would argue very strongly it is in our national security interests to make sure the war in Syria ends and Asad is displaced.

Senator MCCAIN is right, he is winning. He was supposed to be gone last year. He is never going to be displaced until the tide of battle changes. The way we change the tide of battle is neutralize his air power. We can do that without mobilizing every Reservist, including me. It can be done, it should be done, and it is in our interests to do it.

One last thought. If we do not address the chemical weapons compromise in Syria and end this war before these chemical weapons flow out of Syria, not only will Israel be in the crosshairs of radical Islamists with a weapons-of-mass-destruction capability, it is only a matter of time before they come here. The next bomb that goes off in a place like Boston could have more than nails and glass in it.

The people who want these weapons in Syria, trying to develop nuclear capability in Iran, if we don't think they are coming after us, we are naive. I know we are war weary, but I hope we are not too weary to protect our children, grandchildren, and ourselves from a threat that is real. I wish it would go away, but we don't make these things go away by wishing, we confront them. The sooner we confront it, the better off we will be.

Mr. MCCAIN. I would mention one other thing, as I know one of my colleagues is waiting on the floor. There is no other experience that I think anyone can have to see the terrible ravage of war than to go to a refugee camp. The Senator from South Carolina and I have been to refugee camps on both the Turkish and the Jordanian border to see thousands of people living in terribly primitive conditions; to see, as I did in one camp we visited—there had been a rainstorm the night before and people were literally living in water—the desperation on the faces of the people and the children.

I have had many moving experiences while visiting these refugee camps, but I also think there is an aspect we ought

to understand and appreciate as Americans. They are angry and they are bitter because we wouldn't come to their assistance.

I will never forget a woman who was a schoolteacher escorting me around the refugee camp. She said: Senator MCCAIN, do you see all these children here? Do you see all these children?

She said: These children are going to take revenge on those who refused to help them stop this slaughter by Bashar Asad.

So there are long-term implications both on the humanitarian side as well as other aspects of this issue. Believe me, it is the greatest blow to Iran in 25 years if Bashar Asad fell. So it is not just a humanitarian issue. If Bashar Asad goes, Hezbollah is disconnected from Iran, and the whole equation in the Middle East dramatically changes. If Iran and Bashar Asad succeed, we will see a direct threat of the State of Israel, which the Israelis understand, coming from the Golan Heights.

So this is not only a humanitarian issue, it is a national security issue. If Iran succeeds, keeping Bashar Asad in power, that will send a message throughout the Middle East about Iranian power, Iranian ability, and the Iranian ability to change governments throughout the Middle East. So there is a lot at stake.

I hope the President will go to a no-fly zone and give these people the weapons with which to defend themselves, as Russian arms and Iranian arms pour into the country on the side of Bashar Asad. My friends, it is not a fair fight, and we know, in that kind of climate and terrain, air power is the deciding factor.

I thank my colleague from South Carolina, and I appreciate the patience of the Senator from Texas.

I yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The Senator from Texas.

IRAN ELECTION

Mr. CRUZ. Mr. President, on Friday, the people of Iran head to the polls to make a false choice. Ostensibly participating in a democratic process to select a new President, they are really affirming their existing extremist theocracy. They will be forced to select not the candidate of their choice but the candidates that have been chosen for them by the Supreme Leader Ali Khamenei—candidates guaranteed to continue the Supreme Leader's policies of political and religious oppression in pursuit of nuclear capability at all costs.

In the United States we are now engaged in a national dialog about how we can best preserve our God-given rights guaranteed to us by our Constitution. We are taking a serious look at the role of government in our lives and revisiting the balance government is striking between security and privacy. But even as we debate these vital issues at home, we should remember those who are denied their liberty in Iran.

Today, in Iran, the economic picture is grim. Forty percent of Iranian citizens now live below the poverty line, almost double the rate in 2005. The rial has lost 50 percent of its value. The official rate of inflation is 32.2 percent. The real rate is considerably higher. The national rate of unemployment is 11.2 percent, and it is as high as 20 percent in certain regions.

Basic freedoms—political, religious, speech, the Internet—are under systematic attack by the regime. Sadly, persecution and oppression are the norm in Iran. Iran's political opposition has been effectively silenced. Key 2009 opposition leaders, such as Mir Hossein Mousavi and Mehdi Karroubi have been imprisoned without charge in their own homes for 2 years with locked doors and windows. The list of Presidential candidates has been hand-selected by the Supreme Leader, not by the Iranian people. American-Iranian Pastor Saeed Abedini is right now serving an 8-year sentence in Iran's brutal Evin prison for simply professing his faith.

In January, I was proud to sign a letter, along with 11 other Senators, to Secretary Clinton advocating for Pastor Abedini's release and to Secretary Kerry on February 12, thanking him for his statement in support of Pastor Abedini.

There has been a crackdown on Christians in the lead-up to this election, including the closing of the Central Assemblies of God Church in Tehran and the detention of Pastor Robert Asserian. Iranian Pastor Behnam Irani may face the death penalty for organizing a 300-strong congregation of the Church of Iran. Iran's 100,000-plus Evangelical Christians are suffering brutal oppression right now.

In an imitation of China, Iran is attempting to create a sort of internal Internet that will block access to international news and social media. Since the 2009 uprising, the Supreme Leader has instituted four new entities to restrict Internet freedom: The Supreme Council on Cyberspace, the Committee Charged with Determining Offensive Content, the Cyber Police, and the Cyber Army.

Iran has continued to aggressively expand its influence in the region and beyond. Iran remains a leading state sponsor of terrorism and is increasing its activity. Iran has been so hostile toward the nation of Israel that Prime Minister Netanyahu recently expressed fears of "another Holocaust" from Tehran, regardless of any election that may take place. Iran's proxy army, Hezbollah, is supporting Assad's murderous attacks on his own people in Syria.

Today, the United Nations estimated that 93,000 people have been slaughtered in Syria since the uprising began in 2011. Iran's fingerprints are on those murders. Iran is not only expanding its own influence in the region through closer ties with the Muslim Brotherhood in Egypt, but it is also expanding

its influence in Latin America. Most troubling, Iran is proceeding undeterred in its pursuit of nuclear weapons capability.

In my judgment, there is no greater threat to the national security of the United States than the prospect of a nuclear Iran, and we need to be unequivocal and speak with absolute clarity that the United States will do whatever it takes to prevent Iran from acquiring nuclear weapons capability.

Unfortunately, the message from the United States has at times seemed muddled. On the one hand, Secretary of State John Kerry has asked Congress to relax sanctions around the Iranian Presidential elections so his diplomatic efforts have a "window" to work. On the other hand, the Obama administration recently announced new sanctions on Iran's currency and a new initiative to get communications devices to the Iranian people. But both efforts, however well intentioned, came too late to have any real impact on this election.

Today, the Senate is taking encouraging action. I am pleased the Senate hopes to pass a resolution, S. Res. 154, reaffirming our call for free and fair elections, a resolution I fully support.

The resolution also condemns the widespread human rights violations of the Government of Iran, calls on the Government of Iran to respect its peoples' freedom of expression and association, and expresses our ongoing support to the people of Iran for their calls for a democratic government that upholds freedom, civil liberties, and the rule of law.

The Iranian people may well be confused about where the United States stands, especially after we stood silently by when they took to the streets 4 years ago during the Green Revolution. But it was not always this way. Twenty-six years ago this week, President Ronald Reagan stood in front of the Brandenburg Gate in Berlin and challenged Soviet leader Mikhail Gorbachev to tear down the wall that divided the eastern and western halves of the city. No more important words have been spoken by a leader in modern times.

Today, I ask all Americans to join me in likewise urging the regime in Iran to tear down the walls of political and religious persecution, to relieve the pain of the unnecessary economic hardship, and to renounce the isolation caused by Tehran's aggressive and beligerent policies.

To those right now imprisoned and being persecuted in Iran, I would repeat the words of encouragement President Reagan gave when he knew the tyranny represented by the Berlin Wall would not stand. As President Reagan observed: "For it cannot withstand faith; it cannot withstand truth; it cannot withstand freedom." That is the very same message we should convey to the people of Iran as they suffer under tyrannical theocracy.

To the Supreme Leader I would say: Stop oppressing your people. Stop per-

secuting Christians. Stop pursuing nuclear weapons capability. Stop stifling freedom of speech and allow real and free elections. Free the Iranian people.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSE CONTRACTING

Mr. MANCHIN. Mr. President, I appreciate the power of the free enterprise system. It is one of the reasons for America's greatness. I know from experience that private businesses do some things better than the government ever could. But over the last couple of decades, the United States has increasingly relied on private contractors to do the work the men and women in our Armed Forces used to do, and they are getting exorbitant salaries to do the same work—in some cases, almost twice the salary of the President of the United States.

To the people of West Virginia and to me it doesn't make any sense to pay a defense contractor up to \$763,000 a year. That is almost twice as much as our Commander in Chief and almost four times as much as our Secretary of Defense. If we do nothing about this, this figure will automatically rise to \$951,000 next year—\$951,000. That is almost \$1 million a year right in the middle of sequestration when we are cutting everything.

With the war in Afghanistan winding down, it is only natural for defense contractors to be looking for new opportunities, and the southern border of our country is one of the places they are eyeing. In fact, the New York Times says some of them are getting ready to demonstrate military grade and long-range camera systems this summer in an effort to secure billion-dollar contracts with Homeland Security.

I understand we need the expertise of a private industry to secure our borders, but taxpayers should not be responsible for the exorbitant salaries these contractors are demanding. So I am offering an amendment that would cap compensation for private contractors employed for border security. The cap would be \$230,700 annually, which is the most a government civilian can be paid in a given year. So it is in line with what we are doing.

That is significantly more than we pay Defense Secretary Hagel or our Homeland Security Secretary Napolitano.

There is nothing in my amendment that would prevent contractors from making more than \$230,000. We are not saying they can't make more than that. We are saying they can't pass that through to the taxpayers of America. They have to pay it out of the profits of their company. The only thing I

am preventing is the taxpayers from having to foot the bill.

I have heard some proposals to bring that figure down to \$487,000. That is an improvement. But, frankly, I can't look West Virginians in the eye, and I am sure the Chair would have a hard time looking his constituents in Massachusetts in the eye, and justify paying government contractors that much money because it is just hard to justify. It can't be justified.

We need to get our fiscal house in order. We can't do that if we allow private contractors to charge the taxpayers exorbitant salaries of almost \$1 million. It is time for commonsense controls on contractors' salaries. So I am asking for the support of this amendment when it comes to the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the opportunity to share some remarks, and I appreciate the eloquence of my friend and colleague from West Virginia on the issue he just mentioned.

The committee did reduce almost by half the amount that contractors could bill, and we may see further changes in that issue. But when we are talking about money, real money, there is a problem we have with the bill that came out of committee. It is such a grim, serious matter that we have to talk about it, we have to be up front about it, and nobody can be confused about it.

I was pleased with Chairman LEVIN. He is a wonderful chairman of our committee. We have consistently had bipartisan votes. I wanted it to be a bipartisan vote for the bill and voted for it today, but I am not sure that was the right vote because I said during the committee that we have a serious problem in the amount of money that was appropriated for the bill, \$52 billion over the current law.

There is a hope and belief that we can fix that gap between now and the time it comes to the floor. Secretary Hagel was before the Budget Committee yesterday. I am the ranking Republican on the Budget Committee. He indicated he is working on a plan to help us be within the law. He also indicated that to Chairman LEVIN and Ranking Member INHOFE on the Armed Services Committee. But let's be sure what the situation is.

August 2011 we had run up huge debt. We had hit our debt ceiling again. The administration and the President wanted to raise the debt ceiling \$2.1 trillion, one of the largest—or maybe the largest—raise of the debt ceiling in history. That was supposed to take us 2 or 3 years.

Well, we have already hit that debt ceiling again now it appears. Soon we will be having to pass legislation. All the little extensions and maneuvering to extend the debt ceiling a little longer are being exercised, and we will soon have to vote again to raise the debt ceiling.

But in August of 2011, after much intensity of effort, legislation passed. I opposed it. One of my biggest concerns was what it was doing to the defense budget. But the bill passed. It set up a committee, and the committee was to deal with future cuts and long-term entitlement programs and other programs. That was their goal. They were given that challenge.

Fundamentally, the bill that passed raised the debt ceiling \$2.1 trillion, but it reduced the growth of spending over the next 10 years by \$2.1 trillion. Unfortunately, those reductions in the growth of spending fell disproportionately on the Defense Department. I will mention that in a minute.

But the agreement was clear. There were no tax increases. There were no other gimmicks to it other than the spending level would be reduced over 10 years by \$2.1 trillion. We were then spending at the level of \$3.7 trillion a year, which would mean \$37 trillion over 10 years. We were on track to spend \$47 trillion over 10 years—a substantial increase from the current level. So the agreement was that it would reduce the growth to \$45 trillion instead of \$47 trillion.

There was a hope that the committee would reach an even more historic agreement in which entitlements—Social Security and Medicare—would be put on a firm foundation, and we would get the country on the right track.

The committee failed. They did not reach an agreement. So in law there remains the BCA, and within the Budget Control Act there was the sequester, and the sequester would take another \$500 billion. The BCA took about \$500 billion out of the defense budget, and the sequester part of the BCA took another. When the committee didn't reach an agreement, that was another \$500 billion to be taken out of the Defense Department, \$1 trillion.

The Defense Department represents one-sixth of the Federal budget, almost \$1 trillion out of the defense, one-sixth of the government. That is one-half of the cuts that were to be taken from our entire government.

When we look at the numbers over 10 years, the defense budget adjusted for inflation would take a 14-percent reduction in its funding, whereas the remaining five-sixths of the Federal Government would have a 44-percent increase in its funding.

This is the kind of malapportionment of belt tightening that ought not to happen. So I thought—and I believe the American people thought—that we should get together with the President and see how we can avoid this problem and spread the cuts out through other agencies and departments, many of which had no reductions whatsoever. Of course, Social Security had no reduction whatsoever. Medicaid—one of the fastest growing programs of all—had zero reduction in spending under sequester. Food stamps had gone from \$20 billion to \$80 billion, increased fourfold in 12 years, and got zero cuts. A lot

of other programs got zero cuts; whereas, the Defense Department was getting hammered.

People think, well, the war is coming down and the Defense Department can handle it. No, that is not the way it works. The war costs are entirely separate. This is a reduction of the base defense budget, where we pay our soldiers, pay our electric bills, maintain our aircraft, our ships, our ports, and our bases around the world. That is what is being cut, the fundamental strength of the military, and it is too much.

Can they survive it? Not without doing some damage. Sure, they will survive it, and they will be able to get by. But what ought to be done is we ought to get together with the Commander in Chief of the U.S. military, work with the Secretary of Defense, former-Senator Chuck Hagel, get together and figure out a way to have some other parts of this government take some of the reductions in spending that have fallen disproportionately on the Defense Department. It is just that simple.

I suggested to Secretary Hagel yesterday at the Budget Committee that, yes, he ought to be talking with Congress; yes, we have eventually the power of the purse; but nothing is going to happen in the Senate that President Obama doesn't agree to. Senator REID is not going to support anything President Obama doesn't agree to. It looks to me like the Members of the Democratic caucus are going to stick together on this issue. They have so far. Months have gone by and sequester hasn't been fixed.

So I said: I assume, Mr. Secretary, you have the phone number to 1600 Pennsylvania Avenue. I think you had better call over there to the Commander in Chief of the U.S. military, who has an obligation to the men and women he is deploying all over the world and sending into harm's way, and who has an obligation to maintain the strength of our military.

Yes, it can be more efficient. It has already taken \$500 billion in cuts, and it may take a little more. But these cuts are more than can be easily assimilated.

I just believe this has drifted to a point where we are in a serious predicament. The military has already had to lay off civilian workers of the U.S. Government for 11 days, furloughed without pay, and done other things to try to stay within the financial constraints they are now under because the cuts are beginning to bite.

So that is the situation. I want to say to my colleagues, I do not believe the Defense bill that came out of committee—and we had a nice discussion today on multiple issues that are important to America's defense, and we had a good collegial feeling. I don't believe that bill should pass the Senate—I don't believe it will pass the Senate—if it violates the spending limits we voted on just 2 years ago.

Just think of it. We agreed to reduce the growth of spending from \$37 billion now at that rate 2 years ago. We were going to let it grow to 47, we reduced the growth to 45, and we come back to the American people and say we can't effect that now? We can't reduce the growth and spending just that little bit? We promised you that we would raise the debt ceiling, but I know it made you angry, American people. You were mad at us because we mismanaged your money. But we promise, we will reduce the growth of spending by \$2.1 trillion. Trust us. We will do it.

And here we are. President Obama, 6 months later, produced a budget that wiped out all those cuts and increased taxes, taxes and spending. This has been the pattern we have been in. I have to say, we do not need to have this happen.

So I am prepared to meet with the President. I am prepared to meet with the Secretary of Defense, the Office of Management and Budget, and talk about where we can find other reductions in spending and reduce some of the reductions on the Defense Department. We need to reduce a good many of those, frankly. Then the Defense Department can phase in some reductions in spending over the outyears. They can do that. But too much too fast is destabilizing. No business would do that. So we have to figure out a way to make this system work.

I was pleased to work with Senator LEVIN and Senator INHOFE today. I want to be cooperative and be positive in our efforts. I like much of what we did with the authorization bill in the Armed Services Committee, but we just didn't talk about the elephant in the room; that is, the sequester, the real danger we have there. We are going to have to discuss it now. It will be part of the floor discussion and debate if it is not fixed.

It can be fixed. I think we are all prepared to work for it. I don't believe this country will sink into the ocean. I don't believe this country is going to have to close its ports. I don't believe this country is going to have to end tours at the White House to reduce the growth of spending by \$2 trillion, from \$47 trillion to \$45 trillion over the next 10 years. I don't believe that is going to bankrupt us. But we ought to do it in a smart way. We should have every agency and department of government tighten their belts, not just some.

We slipped into this when the sequester was written to try to effect some political result that didn't occur, and now, as a responsible Senate, we have to consider what is right for America. The right thing is to have all agencies and departments tighten their belts and reduce the pressure that is now falling on our Defense Department.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that Senators proceed to a period of morning business, with Senators being permitted to speak for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

B. TODD JONES NOMINATION

Mr. LEAHY. Mr. President, on Tuesday, the Senate Judiciary Committee held a hearing on the nomination of B. Todd Jones to serve as the director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, ATF. I thank Senator KLOBUCHAR for the exceptional job she did in chairing this hearing and setting the record straight with respect to distortions of the nominee's record.

Todd Jones continues to serve this country honorably. He volunteered for the U.S. Marine Corps in 1983, serving on active duty as a judge advocate and infantry officer until 1989. In 1991, he was recalled to Active Duty to command the 4th Marine Division's Military Police Company in Iraq. He also served as commanding officer of the Twin Cities Marine Reserve Unit. He has twice been considered for the important law enforcement position of U.S. attorney and twice unanimously reported out of the Judiciary Committee and unanimously confirmed by the Senate. In 1998 he was first appointed to be the U.S. attorney for the District of Minnesota and became the first African American U.S. attorney in Minnesota's history. In 2009, when that office was at a low point and needed a strong hand to lead it back, he answered the call, again.

When the Bureau of Alcohol, Tobacco, Firearms and Explosives needed new leadership after its poorly conceived and executed Fast and Furious operation, the President called upon him, again. He was called upon to clear up the mess and deserves our thanks for having made great progress in doing so. He has done so while all the while continuing to serve as the U.S. attorney for the District of Minnesota and has had to restore leadership and effectiveness in two important law enforcement agencies.

We have received numerous letters of support for Todd Jones' nomination from law enforcement, respected legal professionals, and veterans of the U.S. Marine Corps. He has critics; he has taken on difficult assignments. As he noted at his hearing, sometimes you have to take action to make a change and change is not always something that everyone is going to favor. A fair evaluation of what he has accomplished leads me to support his nomination to be confirmed as the director of ATF.

The ATF has been without a permanent director since that position was made a confirmable position in 2006. We lean heavily on the expertise of the ATF. For example, under the leadership of Todd Jones, since September 2011, ATF has been called on to analyze the bombs left near the finish line at the Boston Marathon, to sift through burned debris at the chemical plant explosion in West, TX, and to trace the weapons used in the Newtown and Aurora mass killings. Agents of the ATF have played a major role in investigating some of our Nation's worst tragedies. The agency needs a confirmed head. Todd Jones is the ATF's fifth acting director since 2006. The Senate should be doing everything it can to ensure that the Bureau of Alcohol, Tobacco, Firearms, and Explosives has the tools it needs to keep Americans safe, and that starts with a Senate-confirmed director.

I had accommodated the ranking member on requests for further information and delay on this nomination for months. Senator GRASSLEY insisted on the production of documents from the Department of Justice that his staff had already had access to for months. He insisted that his staff be able to interview Todd Jones in his capacity as U.S. Attorney for the District of Minnesota, as well as two other Justice Department officials, in order to try to build a case against another nomination, that of Tom Perez to be Labor Secretary. Those interviews have taken place. Senator GRASSLEY requested additional background information from the administration not usually required by the committee for an executive nomination and he received that information. When he sought information about an ATF operation in Milwaukee, I arranged a bipartisan briefing for our staffs from the agency.

Some are criticizing the nominee based on a complaint filed against him by an AUSA from the earlier Bush-era U.S. attorney office. After learning about the complaint, I had initially put on hold a planned hearing on this nomination. In late April, a news article reported that "an aide to Senator GRASSLEY" had released a letter from OSC that the ranking member and I had received about the existence of that preliminary inquiry. It was at that time that I determined that this hearing should move forward to allow the nominee an opportunity to defend his reputation. When a private complaint against him was disclosed publicly, I thought it unfair that the nominee could not respond. He did at his hearing and in my view that matter is put to rest.

The U.S. Office of Special Counsel, OSC, closed the file on the underlying allegation made against the nominee of "gross mismanagement and abuses of authority." The allegation involving alleged retaliation has been referred to mediation. In deference to the complaining party and the request of the

investigating agency that the complaint not be made public, it has not been. I wish it were. It is not substantial or even substantially about Todd Jones. It is certainly not reason to oppose the confirmation.

The ranking member requested that the long-delayed June 4 confirmation hearing on the nomination to head ATF be postponed further, and I postponed it another week. During that postponement, over that last weekend, the ranking member threatened to use Senate rules for the minority to call an outside witness to testify at the hearing. There is no precedent for outside witnesses at a Judiciary Committee hearing for a subcabinet executive level position. I nonetheless sought to accommodate his last-minute demand by agreeing to his calling a witness.

The hearing proceeded on Tuesday and should have cleared the air. For instance, those opposing this nomination were unaware that Todd Jones had terminated a supervisor of the Fast and Furious operation.

The Judiciary Committee had for decades followed a tradition and practice of examining allegations against nominees in a bipartisan manner from the outset. That has not been the practice Republicans have followed during the last several years. They have, instead, not brought matters to the bipartisan staff but chosen to proceed on their own.

Sometimes we do delay committee consideration of nominations to allow a complaint to be resolved. Sometimes we proceed despite lawsuits involving nominees, such as the way we proceeded last year with the nomination of Judge Stephanie Rose of Iowa to the United States District Court for the District of Iowa even though there was a lawsuit pending in which there were allegations against her actions as the U.S. attorney for Iowa. Earlier this year, when defense counsel filed a motion against the U.S. attorney for the District of New Mexico making allegations, we independently examined the matter. The committee proceeded with that nomination rather than delay it.

I have reached out to the ranking member staff about getting back to our tradition of conducting bipartisan inquiries into allegations made against nominees. I hope that practice will be restored. With respect to the nomination of Todd Jones, we are further examining the matter, but I believe him qualified and at this time know of no good reason the Senate should not confirm his nomination to serve as Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

RECOGNIZING THE WAYSIDE RESTAURANT

Mr. LEAHY. Mr. President, today, I would like to pay tribute to the Wayside Restaurant—a trusted and venerated Vermont fixture and a staple of the community surrounding Montpelier, our State capital. The Wayside is

a local business that has remained true to the values of its humble beginnings. For nearly a century, the Wayside Restaurant has been a place where Vermonters can count on quality service, reasonable prices, and a quality meal that is sure to satisfy both the stomach and the heart. I am honored to join Vermonters in celebrating the Wayside Restaurant's 95th anniversary.

In 1918, when Effie Ballou first opened the Wayside's doors, many of the restaurant's offerings were prepared in the kitchen of her home and carried down to her roadside eatery. Never did she imagine that her small eating house would become the bustling spot that it is today, drawing both locals and out-of-State travelers and serving nearly 1000 customers daily. Every day, diners—from families to office workers pile into the Wayside Restaurant. Its warm environment, familiar staff and signature Vermont cooking make the restaurant a home away from home for locals and visitors alike.

The owners and staff of the Wayside Restaurant are devoted to providing extraordinary service to the crowds of loyal customers who stop in to pile their plates high with Wayside's fine fare. Regular customers of the Wayside Restaurant can order their meals to-go or can dine in while enjoying friendly conversation and classic Wayside dishes like the salt pork and gravy, honeycomb beef tripe, or maple cream pie.

Current owners Karen and Brian Zecchinelli have remained true to the restaurant's early virtues—preparation of quality, old-time favorites as well as modern cuisine, and a focus on family and community values. As a member of the Vermont Business Environmental Partnership, the Wayside Restaurant has implemented earth-friendly initiatives that are kind to our natural environment. In 2012, the Wayside Restaurant was recognized as the first and only "green" restaurant in Montpelier and was praised for its support of small business by buying locally produced products, a tradition they have kept throughout the years.

Today the Wayside Restaurant continues as a symbol of both longstanding tradition and effective progress. From Effie Ballou's humble beginnings to the eatery's current, booming success, the Wayside Restaurant holds a special place in Vermonters' hearts. Marcelle and I are always delighted to join them for a meal and visit with other patrons. I want to join the many others congratulating the Wayside on 95 successful years of enriching its community and supporting Vermont's local economy.

Every time I go there to eat I remember going with my parents, brother, and sister when I was a child. It was great then and still is.

TRIBUTE TO NORM BROWNSTEIN

Mr. MCCONNELL. Mr. President, I would like to wish a happy, if slightly

belated, 70th birthday to Norm Brownstein—a dedicated husband, father, and grandfather, and a talented and effective advocate for the alliance between the United States and Israel.

Norm's story is a classic American tale of a young man rising from humble beginnings to achieve big things. Born to an immigrant family, Norm was orphaned at an early age and faced a number of hardships. But he did not let that stop him from working hard or realizing his dreams—even if they differed from his original goal of becoming a dentist. In fact, Norm became the first member of his family to graduate from college and received both undergraduate and law degrees from the University of Colorado-Boulder.

He then opened a law firm with two fellow UC-Boulder law graduates in the 1960s. In the ensuing decades, that firm would transform into an agency with hundreds of employees and offices in all corners of the country.

And, as a board member of the American Israeli Public Affairs Committee, Norm would also establish himself as a well-regarded supporter of the State of Israel and the relationship between our two countries. Clearly passionate on the issue, Norm has made his case effectively to numerous policymakers over the years—Republicans and Democrats alike.

As he looks back over his 70 years, though, I think Norm will be most proud of his role as a father of three, a grandfather of four, and as a husband.

So, today, please allow me to wish Norm a happy birthday, and to also wish him good health in the years to come.

VOTE EXPLANATION

Mr. BLUMENTHAL. Mr. President, on June 10, 2013, I was regretfully absent during the vote on the Leahy amendment No. 998 because of travel delays due to inclement weather. Had I been able to attend the vote, I would have supported passage of this amendment, which establishes a pilot program to invest in gigabit networks in rural areas. This program has the potential to greatly improve Internet access in underserved communities, which can lead to significant improvements in commerce, education, health care and other areas. I applaud the Senate's passage of this amendment.

MICHIGAN'S GOOD NEWS

Mr. LEVIN. Mr. President, much of what we read today in newspapers or on the Internet, much of what we hear on TV, much of what dominates our national conversation and our conversation here in the Senate is bad news. And it's understandable in a way that we're focused on righting wrongs and debating the solutions to problems. But too often we lose sight of the remarkable accomplishments and uplifting stories that are every bit as much a feature of the human condition as conflict and tragedy.

With that in mind, I want to alert my colleagues to an extraordinarily good-news story from right in my home State of Michigan. There, experts at the University of Michigan's CS Mott Children's Hospital, recently broke important new ground in treating a rare but life-threatening condition, and made an enormous difference in the lives of one little boy and his family.

At just 3 months old, Kaiba Gionfriddo's life was in danger. The Ohio baby was threatened by an unusual weakening of the wall of his bronchus, the passage leading to his lungs. His condition caused him to stop breathing, and his physicians worried that the condition would prove fatal. But they knew that doctors and engineers at the University of Michigan were working to develop a new treatment that offered hope.

At UM, pediatrician Dr. Glenn Green and biomechanical engineering professor Scott Hollister were working on a groundbreaking procedure. Alerted to young Kaiba's condition, they went to work. Kaiba was airlifted from his Ohio hospital to Ann Arbor, and the UM team went to work.

Their ingenious idea combined several important technologies. They used high-resolution imaging to create a detailed picture of Kaiba's airway. Through computer-aided design techniques and the use of a three-dimensional printer, they created a customized tracheal splint to support the weakened walls of his bronchus and allow him to breathe. And they fashioned this device out of a bioresorbable polymer that will be absorbed by Kaiba's body by the age of four, after it has given his body time to form a stronger breathing passage.

There are many heroes in this story: Kaiba's parents, who moved heaven and earth for their son while dealing with the fear that they might lose him; the Ohio physicians who searched for solutions to a difficult case; of course, Dr. Green and Professor Hollister and their team at UM; and, not to be forgotten, the countless researchers, engineers, and developers who put remarkable technological tools such as high-resolution imaging, computer-aided design, and 3D printing in the hands of the UM experts. A year after his procedure, Kaiba's mother April says her son is doing well. "He's getting himself into trouble nowadays," she said in a newspaper interview. "He scoots across the floor and gets into everything."

It's a remarkable story—but every day, countless Americans are engaged in similar efforts to help loved ones, neighbors, patients, even total strangers they will never know or meet. The combination of remarkable ingenuity and public spirit are defining characteristics of our Nation, and so long as they remain, there is nothing Americans cannot accomplish. As we focus on the problems we need to solve and the challenges we face and the flood of negative and discouraging news, I hope we will also keep in mind the remarkable

good news that also happens every day and take inspiration from it.

TRIBUTE TO HOWARD BOKSENBAUM

Mr. REED. Mr. President, today I pay tribute to an exceptional library advocate and public servant in Rhode Island, Howard Boksenbaum, who is retiring from his position as the State's chief library officer after a long and distinguished career.

Howard graduated with a linguistics degree from Washington University in St. Louis and Waseda University in Tokyo, earned a master's degree in library and information science from the University of Pittsburgh, and started his career working at various library positions in Pennsylvania before moving to Rhode Island.

His service to Rhode Island libraries began nearly 34 years ago at the Island Interrelated Library System, which, at the time, was one of five regional library systems in the State. In 1988, he joined the State's Department of State Library Services, which later became the Office of Library and Information Services, OLIS. After serving in various capacities within these agencies, and as assistant director for Central Information Management Services at the Rhode Island Division of Information Technology, Howard became the state's chief library officer in 2007.

During his more than three decades working for Rhode Island libraries and the State's library agency, Howard helped improve Rhode Island's libraries in many important ways. His focus on and passion for technology brought our State's libraries further into the digital age. He worked to consolidate Rhode Island's regional library networks into a single statewide system and created Ocean State Free-Net, a public access computer network. He also played a major role in other statewide technology initiatives, including working on the state's website launch and helping to establish the statewide public safety communication network, RISCON. Howard was also part of the Rhode Island Library Association and the Coalition for Library Advocates.

His view of the importance of libraries to our citizens, to our communities, and to our Nation can be found in a quote of his soon after he became chief library officer:

A library is bigger than the web because it includes it, bigger than its users because they grow there. Unlike a school, a library is elective, unlike a store, a library belongs to its users, unlike the World Wide Web, a library is people, is history, is culture, is connection. A library is the past and the present and will be changing again to be the future.

Rhode Islanders have been fortunate to have Howard devote more than three decades of service to the state and its libraries, and especially for the past 6 years he served as chief library officer. I have also had the benefit of his knowledge and insights about libraries, and worked with him on legislative ini-

tiatives to enhance federal support for libraries.

I would also like to recognize Howard's wife Judith Stokes and his three daughters Anna, Martha, and Emily. I join many others in the State in thanking Howard for his dedication and service to our State's libraries, and I ask my colleagues to join us in commending Howard Boksenbaum on his long and accomplished career. I wish him fulfillment and continued success in his future endeavors.

COMMENDING JOHN LEWIS

Mr. CHAMBLISS. Mr. President, I rise today to commemorate the life and legacy of Congressman JOHN ROBERT LEWIS of Georgia, and recognize the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee.

JOHN LEWIS grew up during the heart of segregation, born as the son of sharecroppers and attending segregated schools in Pike County, AL. At a young age, he became inspired by Martin Luther King, Jr. and Rosa Parks, and decided that he too, would fight for equal rights guaranteed to all by the Constitution of the United States.

JOHN attended Fisk University, where he began his civil rights activism by organizing a sit-in at segregated lunch counters in Nashville, TN. He later became one of the original 13 Freedom Riders, bravely challenging segregation at interstate bus terminals throughout the South.

In 1963, JOHN LEWIS was elected as chairman of the Student Nonviolent Coordinating Committee, which we are here to recognize today. He helped found this organization, which encouraged students to get involved in the civil rights movement and played a key role in the struggle to end legalized racial discrimination and segregation.

By the age of 23, he was recognized as one of the "Big Six" leaders of the civil rights movement, planning and participating as the youngest speaker at the historic March on Washington in August 1963.

He remains the last remaining speaker from this march.

He continued his work, organizing the Mississippi Freedom Summer, a campaign to register black voters and expose students around the country to the perils and conditions in the South. Knowing what lay ahead, he risked his life to lead over 600 marchers across the Edmund Pettus Bridge in Selma, AL, only to be brutally attacked by Selma police officers. This massacre became known as Bloody Sunday, during which JOHN's skull was fractured.

He still bears the scars today.

JOHN remained chairman of the SNCC until 1966, and then continued his commitment to the civil rights movement as associate director of the Field Foundation and in various voter registration programs. Even after more than 40 arrests during his peaceful protests, JOHN LEWIS never gave up on his cause.

He still remains devoted to non-violence and equality for all.

In 1986, JOHN was elected to serve as the U.S. Representative for Georgia's Fifth Congressional District, where he continues to serve his constituency and do remarkable work for the State of Georgia.

He has been a loyal colleague and friend, and an invaluable member of the Georgia Congressional Delegation. JOHN LEWIS's unwavering ethical and moral principles have garnered admiration and respect from his colleagues on both sides of the aisle, and I am honored to have known him.

Today, let us honor Mr. LEWIS, who stood boldly against those who resisted racial equality. JOHN's legacy will be remembered as one of great importance in American history.

Like Martin Luther King, Jr. and Rosa Parks, JOHN continues to inspire those of us around him to fight for what we believe in.

I hope we can all learn from the remarkable life of Congressman JOHN ROBERT LEWIS of Georgia.

THE ARMY'S 238TH BIRTHDAY

Mr. CARDIN. Mr. President, tomorrow—June 14—marks the Army's 238th birthday. For 238 years, the Nation has entrusted the Army with preserving its peace and freedom, and defending its democracy. Since its beginnings as the Continental Army during our Revolutionary War, to its instrumental role in the wars of Iraq and Afghanistan, the Army has always served America admirably and I have every confidence that it will continue in this proud mission.

The United States Army existed before there even was a United States to speak of. The Continental Army was established on June 14, 1775. It was composed of rebellious colonists who had little or no experience in soldiering. Despite these humble beginnings, General George Washington led the Continental Army and against overwhelming odds they defeated the more seasoned and well-equipped British ground forces. Following the end of the Revolutionary War, the Continental Army was disbanded but that action was followed by the official creation of the U.S. Army on June 3, 1784. Since then, our Army has become the model against which all other nations' armies are measured.

The Army's birthday coincides with Flag Day, a holiday that commemorates our Nation's adoption of the U.S. flag. I believe this is fitting as our Nation's flag would not exist were it not for the bravery and sacrifice of our Army; and since its adoption, the Army has always carried our Nation's flag into battle.

With the withdrawal of our military forces in Iraq and the drawdown of those forces in Afghanistan, I am concerned that our soldiers who have recently entered—or are about to enter—civilian life will not be provided with

the tools to adapt to their new lives. Veteran unemployment, post-traumatic stress, and active duty military/veteran suicides continue to be serious issues and they must be addressed. If a soldier is able to excel on the battlefield, then I see no reason why that same soldier should not be able to excel in the classroom, in a hospital, or in the boardroom. We have to provide our servicemen and women with the tools to help them achieve these goals. Doing so is not a hand-out, but rather a "hand up" that strengthens our Nation, since it redounds to the benefit of all Americans. Ultimately, we have to continue to give these men and women a stake in their own country.

Since 1775, American soldiers have been the strength and sinew of our Nation. Our soldiers are driven by the ideals of the Warrior Ethos and commit themselves to succeed in any mission our Nation asks of them. Our soldiers believe that our Constitution and the freedom it guarantees are worth fighting for. They sacrifice their personal comfort and safety to answer a higher calling: service in the cause of freedom, both here at home for Americans, but also abroad for foreign peoples.

I am awed by our servicemen and women's ability to adapt and succeed in a mission that at various stages has called upon them to be scholars, teachers, policemen, farmers, bankers, engineers, social workers, and, of course, warriors—often all at the same time. Above all, I am perpetually thankful for their willingness to serve, and have the greatest of faith in their ability to face the difficult and dangerous missions that lie ahead. These patriots have always been the strength of the Nation. The unwavering dedication to duty, to our country, and to all Americans is embodied in the Army motto, which is inscribed on top of the Department of the Army's official emblem "This we'll defend." For 238 years, our Army has lived by these words, protecting us so that our society may be free. Let us remember our Army soldiers for this achievement today, and wish them a happy 238th birthday.

FLAG DAY

Mr. MANCHIN. Mr. President, as do all West Virginians, I feel a special surge of emotion every time I see the American flag. After all, Old Glory is the most enduring symbol of our country, representing the unity of our people and the cause of liberty and justice for all.

But the Star Spangled Banner is also the most recognized symbol of freedom wherever it flies in the world, a powerful inspiration to people everywhere who are "yearning to breathe free," as it is inscribed on the Statue of Liberty.

Every day, Americans all across this great land pledge their allegiance to the flag of the United States. We salute it; we fight for it; we cherish it; we honor it.

But one day a year, we pay special honor to our flag. We set aside every

June 14th as Flag Day, commemorating the date in 1777 when the Continental Congress officially made the Stars and Stripes the symbol of America.

Tomorrow, my office is planning special events in West Virginia commemorating Flag Day. Members of my staff will be presenting American flags to selected organizations all across the State that have requested flags:

To veterans in Logan at the "Spirit of the Doughboy" statue, which honors the victorious American soldiers of World War One.

To the Veterans Museum of Mid-Ohio Valley in Parkersburg, which pays tribute to West Virginians who have fought to preserve this country's freedom.

To Shepherd University in Shepherdstown, in conjunction with its Team River Runner program which includes kayaking programs for wounded warriors and their families.

To American Legion Post 33, in Sutton, honoring them for conducting memorial services for veterans in Braxton County.

To the City Council of Wardensville, to be displayed at the Wardensville Town Office.

To the "Here and There" Transit of Philippi, as part of the dedication of its new operations facilities.

And to the West Virginia Northern Community College in Wheeling, which only last month opened its Applied Technology Center to veterans and other students.

Flag Day has a special significance to West Virginia. Our State was born out of the fiery conflict of the Civil War, and next week we will celebrate our 150th birthday.

In that terrible war, West Virginians had a choice of two flags. We chose to follow the Stars and Stripes and in doing so, West Virginia became the 35th star on that Grand Old Flag.

So as we prepare for our State's 150th birthday celebration, I urge all West Virginians to join me in celebrating Flag Day—by displaying the flag that from the first days of America came to symbolize a "new constellation" of hope and freedom and from the first days of West Virginia came to represent an allegiance to our remarkable Constitution.

In doing so, we honor not only our flag, but also the ideals on which America was founded as well as the generations of Americans who have defended those ideals in battle, always ensuring at the end of the fight that "our flag was still there."

The Star Spangled Banner is a symbol of their sacrifice and our faith.

Not long after Congress officially adopted the Stars and Stripes as the flag of the United States, George Washington said, "We take the stars from Heaven, the red from our mother country, separating it by white stripes, thus showing that we have separated from her, and the white stripes shall go down to posterity representing liberty."

But a little poem I learned as a child
from my Uncle Jimmy perfectly cap-
tures how I feel about the American
flag even now:

It's only some stripes of red and white.
It's only some stars on a field of blue.
It's only a little cotton flag.
Does it mean anything to you?
Oh yes it does,
For beneath its folds
Our people are safe at land and sea.
It stands for a land where God is still king,
And His truth and His freedoms are free.
So let us love it well
And keep it pure as our banner of liberty.

This "little cotton flag" is displayed
proudly in our homes, in our schools,
in our businesses, over the Capitol and
the White House, in parades and ball-
parks, on the field of battle, and on the
graves of the heroes who fought in
those battles.

It has flown from the tops of moun-
tains, from the 9/11 rubble of Ground
Zero, over the scarred wall of the Pen-
tagon and from the surface of the
moon—not once, not twice, but six
times.

May our beautiful flag ever wave, and
may God ever bless the country for
which it stands.

ADDITIONAL STATEMENTS

CONGRATULATING SCOTT BLACKMUN

• Mr. BENNET. Mr. President, today I
would like to congratulate Mr. Scott
Blackmun of the U.S. Olympic Com-
mittee, USOC, on recently being named
Sports Business Journal's 2013 Sports
Executive of the Year. Scott has shown
real leadership as the chief executive
officer of the United States Olympic
Committee, a position in which he has
served for the past 3 years. He has rep-
resented Colorado with distinction on
that committee, and he fully deserves
this recognition for his work and com-
mitment to international athletic ex-
cellence.

Scott has revamped the U.S. Olympic
Committee since his appointment in
2010, bringing results both on and off
the field of competition. Under his
leadership, the USOC has been able to
partner with several new sponsors, ne-
gotiate a revenue-sharing agreement
with the International Olympic Com-
mittee, and oversee a U.S. Olympic
team that won the most Gold Medals
at the 2012 London Olympic Games.
Scott also served the USOC capably in
multiple previous capacities a decade
ago.

A hard worker of high integrity,
Scott previously served as chief oper-
ating officer of Anschutz Entertain-
ment Group, a major presenter of
sports and entertainment events. An
accomplished attorney, Scott's skill
and work ethic have made him an in-
valuable asset in the Colorado legal
community. I know Scott personally,
having worked with him in the past,
and I know him to be a diligent yet
passionate advocate for clients and
causes alike.

It is a privilege to recognize and com-
mend the accomplishments and career
of Scott Blackmun. This award is a tes-
tament to his commitment to the
USOC and to his country. We are proud
to be able to say that he is a Colo-
radoan, and I want to extend my sin-
cere congratulations to Scott, his wife
Ann, and their three children.●

GREAT ALLEGHENY PASSAGE

• Mr. CASEY. Mr. President, Saturday,
June 15, 2013, marks the completion of
the Great Allegheny Passage. This 150-
mile trail provides an uninterrupted,
nonmotorized passageway for travelers
to hike or bike from Cumberland, MD,
to Pittsburgh, PA. The Great Alle-
gheny Passage connects to the C&O
Canal Towpath, which leads from
Washington, DC, to Cumberland, MD,
creating an uninterrupted route be-
tween our Nation's Capital and the
Forks of the Ohio.

President Theodore Roosevelt once
stated, "Conservation means develop-
ment as much as it does protection."
The Great Allegheny Passage is an ex-
cellent example of an area that Ameri-
cans have worked to conserve in such a
way. The development of the passage
has greatly improved the trail, while
preserving its natural beauty for all to
enjoy.

The Great Allegheny Passage is a
wonderful place for Americans of all
ages to engage in our rich cultural his-
tory, enjoy the varied natural history
of great river valleys, and experience a
range from rural to urban commu-
nities.

The Great Allegheny Passage signifi-
cantly benefits the surrounding com-
munities in many ways. Trails increase
the quality of life in a community. The
proximity to rivers, trails, and green-
ways is an important factor when peo-
ple and businesses are deciding where
to live or invest in new properties. Em-
ployees who work near such areas will
reduce their commuting costs by walk-
ing or biking to work.

The Great Allegheny Passage in-
creases tourism to the surrounding
areas. Americans realize that using
such a trail is an environmentally re-
sponsible way to spend their time. The
trail attracts people to the area, which
greatly benefits the local communities.
Trail users create a demand for more
lodging, restaurants, and sporting
equipment stores. New jobs will be cre-
ated as entrepreneurs continue to bring
tourism and service based businesses to
the area.

The Great Allegheny Passage is truly
a unique path through a significant
corridor. I encourage Pennsylvanians
and all Americans to enjoy the natural
beauty of America by visiting the
Great Allegheny Passage, now, and for
years to come.●

TRIBUTE TO MIHAELA GHITA

• Mrs. SHAHEEN. Mr. President, I rise
today to recognize Mihaela Ghita, a

graduating senior at Manchester High
School West in Manchester, NH. There
is much to celebrate about Mihaela's
academic achievements, but one of her
most notable accomplishments is that
she has never missed a day of school
since the day she entered first grade.

Mihaela is an active member of
West's school community. She com-
petes in throwing events for the
school's track and field team and is
also a member of West's gymnastics
squad. In addition, Mihaela has gone
above and beyond academic require-
ments by completing an extended
learning opportunity, volunteering to
read with and tutor the school's special
needs students. She is also an active
volunteer in the greater Manchester
community.

Mihaela's dedication to her edu-
cation and her commitment to being
present to learn every day is truly ad-
mirable. As a former public school
teacher and parent, I understand and
appreciate how unusual and unique it
is for a student to attend every day of
school for an academic year, but it is
truly impressive that she has never
missed a day at any point in her stud-
ies. The maturity and sense of dedica-
tion that Mihaela has demonstrated
will serve her well in whatever field she
chooses. I am confident that Mihaela
will achieve success in her future pur-
suits.

High school graduation is a special
time in a student's life, and I am
pleased to rise today to recognize
Mihaela's unique attendance accom-
plishment. However, I would also like
to extend my sincerest congratulations
to Mihaela and all of her classmates
who will be joining her on Saturday,
June 15, 2013, for their graduation cere-
mony. While the students may be head-
ing in different directions, they will al-
ways share the common bond of being
graduates of Manchester High School
West. Once again, I would like to re-
cognize Mihaela Ghita on achieving her
exemplary attendance record. I know
that her family, her friends, and the
entire West community join me in con-
gratulating her and celebrating her
many accomplishments.●

TRIBUTE TO RALPH MCGARY

• Mr. UDALL of New Mexico. Mr.
President, I would like to speak today
about an individual in my home
State—a gentleman from Carlsbad
named Ralph McGary. Because as we
work for solutions to our Nation's
challenges, I hope that we will always
remember one basic thing. There are
human beings behind these debates.
There are stories of struggle and hard-
ship and of inspiration. What we do
here in Washington, DC, has real im-
pact on real lives. What happens here
matters in profound ways to millions
of Americans, matters to fellow citi-
zens like Ralph McGary, who have sac-
rificed and worked hard, and who de-
pend on a government that will be
there for them in return.

This is Ralph's story, as reported recently in Focus on Carlsbad magazine. Ralph worked in the oilfields. One day, in 2006, on his way home, he was almost killed in a traffic accident. In an instant, his life was changed forever. He spent 6 weeks in intensive care and then 3½ months at a rehabilitation hospital. He survived but was left a quadriplegic. Ralph McGary had to face tremendous loss, and then he had to decide how to move forward with his life.

It is impossible for any of us to fully realize what an ordeal that must have been for Ralph or what courage and determination it has required of him every single day just to keep going, just to find his way on a path that he never imagined he would be on. But move forward he did. Drawing upon his own valiant spirit and with the help of others, among his family and in his community. His is a classic American story of self-reliance and community support.

He found valuable allies at the Division of Vocational Rehabilitation in Carlsbad. Despite his severe physical impairment, Ralph still wanted to work, still wanted to be as productive as his condition would allow. DVR is a State-Federal organization. Its mission is to work with folks like Ralph to find employment, to help them overcome their disabilities.

DVR provided Ralph with a computer and a special voice recognition software. His counselor at DVR, Barry Jolly, explained:

We worked with him to develop a plan. That included going back to school and completing his degree. We don't just identify employment. We identify a strategy to get from where you are to where you need to be.

Ralph is still on that journey getting from where he has been to where he needs to be. He requires 24-hour care. His family, like so many others, tried to provide that care at home for as long as they could. For now, Ralph resides at a local nursing care facility. Most of his disability income pays for his nursing home care. He keeps about \$60 a month. But his dream of greater independence continues. He dreams of some day being able to adapt his home to accommodate his needs.

In the meantime, he earned his associate's degree from the New Mexico State University-Carlsbad. Last year, he obtained a part-time job at the Jeff Diamond Law Firm. The firm had helped him obtain his Social Security disability benefits, and SSA allows him to earn a certain amount of money each month without reducing his disability income.

In his work at the law firm, Ralph calls himself the "reminder guy." He calls clients to remind them of their appointments or other matters relating to their disability claims. He knows their struggles. He understands what they are going through. His job not only provides some extra income, it boosts his morale and his connection to his community, and the McGary family is very much a part of the community.

His wife, Susan, has taught at Carlsbad schools for over three decades.

Jolly told Focus on Carlsbad that:

Ralph is a determined man and a sharp individual. I used to work in the oilfields too, so I think we speak the same language. I think one of his strengths is his ability to get along with other people and his understanding of how things work.

Those are admirable qualities—getting along with others. Understanding how things work. We need more of that here in Washington, DC. People like Ralph McGary should expect no less of us. Ralph faced his challenges. We should face ours.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS—PM 12

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 the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2013.

In 2012, the Government of Belarus continued its crackdown against political opposition, civil society, and independent media. The September 23 elections failed to meet international

standards. The government arbitrarily arrested, detained, and imprisoned citizens for criticizing officials or for participating in demonstrations; imprisoned at least one human rights activist on manufactured charges; and prevented independent media from disseminating information and materials. These actions show that the Government of Belarus has not taken steps forward in the development of democratic governance and respect for human rights.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose 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 13405 with respect to Belarus.

BARACK OBAMA.

THE WHITE HOUSE, June 13, 2013.

MESSAGES FROM THE HOUSE

At 11:27 a.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 634. An act to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes.

H.R. 742. An act to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts.

H.R. 2167. An act to authorize the Secretary of Housing and Urban Development to establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program.

At 3:28 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. 1038. An act to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes.

H.R. 1256. An act to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

At 5:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2217. An act making appropriations for the Department of Homeland Security for

the fiscal year ending September 30, 2014, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 634. An act to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 742. An act to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1038. An act to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1256. An act to direct the Securities and Exchange Commission and the Commodity Futures Trading Commission to jointly adopt rules setting forth the application to cross-border swaps transactions of certain provisions relating to swaps that were enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 2167. An act to authorize the Secretary of Housing and Urban Development to establish additional requirements to improve the fiscal safety and soundness of the home equity conversion mortgage insurance program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2217. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes; to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-19. A resolution adopted by the House of Representatives of the State of Michigan urging support for continuation of the STARBASE program; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 85

Whereas, STARBASE is a U.S. Department of Defense youth program which targets at-risk students who are historically underrepresented in the areas of science, technology, engineering, and math (STEM). Established in 1993, the STARBASE program has grown to 76 locations across 40 states, including three Michigan sites: Selfridge Air National Guard Base, Battle Creek Air National Guard Base, and Alpena Combat Readiness Training Center. The program reached about 3,500 Michigan students in Fiscal Year 2012; and

Whereas, STARBASE provides exceptional, hands-on curriculum to participating schools and students that helps overall comprehension of science and math and improves MEAP scores. It provides an inquiry-based curriculum of experiential, exploratory learning to motivate fifth graders to explore STEM as they continue their education. A more recent addition, STARBASE 2.0, is aimed at middle school students in an after

school program. It offers robotic training opportunities and participation in the Lego League team robotics challenge. STARBASE works with school districts to support their learning objectives and expands relationships with local networks of STEM initiatives and organizations; and

Whereas, The rapid pace of technological change and the globalization of the economy demand that our workforce be literate in science and math. Less than one percent of current elementary students are expected to seek advanced education in the sciences. STARBASE raises student interest and improves their attitudes and confidence in STEM skills: Now, therefore, be it

Resolved by the House of Representatives, That we urge the support for continuation of the STARBASE program; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-20. A concurrent resolution adopted by the House of Representatives of the General Assembly of the State of Ohio urging the Congress of the United States to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport in Mansfield, Ohio; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 4

Whereas, The United States Air Force 179th Airlift Wing is a military airlift organization assigned to the Ohio Air National Guard and stationed at Mansfield-Lahm Regional Airport; and

Whereas, Due to its superior record, the 179th Airlift Wing received a mission to operate the C-27J Spartan aircraft, a twin turbo-prop aircraft with short takeoff and landing capabilities, ideal for the nation's current military needs and for providing rapid response support for homeland emergencies; and

Whereas, The United States Air Force has published proposed personnel actions associated with plans to retire more than 300 aircraft nationwide, including the C-27J; and

Whereas, The United States Air Force has plans to move personnel positions among states to mitigate the impact of the reductions; and

Whereas, The United States Air National Guard, including the 179th Airlift Wing, is responsible for homeland defense, and the C-27J is an important tool in accomplishing this mission; and

Whereas, The 179th Airlift Wing has made United States Air National Guard history by deploying the C-27J in Afghanistan in Operation Enduring Freedom; and

Whereas, Closing the Air National Guard Station at Mansfield-Lahm, relocating its personnel, and diverting or retiring its C-27J aircraft would create discontinuity and weaken national defense and homeland disaster readiness: Now therefore be it

Resolved, That the Congress of the United States is urged to maintain operation of the 179th Airlift Wing at Mansfield-Lahm Regional Airport to ensure Ohio and our nation will continue to benefit from the unique experience and capabilities of its personnel and the region; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, to the President Pro Tempore and Secretary of the United States Senate, to the Speaker and the Clerk of the United States House of Representatives, to the members of the Ohio Congressional delegation, and to the news media of Ohio.

POM-21. A resolution adopted by the House of Representatives of the State of Michigan memorializing Congress to pass H.R. 1014 to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that Act; to the Committee on the Budget.

HOUSE RESOLUTION NO. 71

Whereas, A federal military technician (dual status) is a federal civilian employee who is assigned to a civilian position as a technician in the administration and training of a Selected Reserve on in the maintenance and repair of supplies or equipment issued to a Selected Reserve or the armed forces. The Selected Reserve include the Army, Navy, Air Force, Marine Corps, and Coast Guard Reserves, and the Army and Air National Guards. The primary mission of a military technician is to provide day-to-day continuity in the training of reserve units, particularly, Army and Air National Guard. More than 58,000 military technicians are currently employed helping to maintain our military readiness; and

Whereas, Military technicians are generally required to maintain membership in the National Guard or Reserve as a condition of their employment. They are required to attend weekend drills and annual training with their reserve unit and military technicians can be involuntarily ordered to active duty just as other members of the Guard or Reserve; and

Whereas, Under sequestration, uniformed military personnel are exempt from furlough days and pay cuts. However, military technicians in the National Guard and the Reserves were not exempted, placing the readiness of our military at home and abroad at risk: Now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to pass H.R. 1014 to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-22. A resolution adopted by the Senate of the State of Louisiana memorializing the Congress of the United States and requesting the Secretary of the United States Department of Commerce to take such action as necessary relative to red snapper season; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 25

Whereas, it is the responsibility of the National Marine Fisheries Service, an agency in the National Oceanographic and Atmospheric Administration, through the Gulf of Mexico Fisheries Management Council, to manage and regulate marine species located in the Gulf of Mexico; and

Whereas, such management and regulation includes a determination of the sustainability of each species and preservation of the sustainability through the setting of take limits, individual fishing quotas, and opening and closing seasons; and

Whereas, on March 25, 2013, a temporary emergency rule was published in the Federal Register that gives the National Oceanic and Atmospheric Administration (NOAA) Fisheries Services the authority to set separate closure dates for the recreational red snapper season in federal waters off the individual Gulf of Mexico states; and

Whereas, the closure dates will depend on whether state regulations are consistent with federal regulations for the recreational red snapper season length or bag limit; and

Whereas, the federal recreational season for Gulf of Mexico red snapper begins June 1 each year with a two-fish bag limit and the length of the season is determined by the amount of the quota, the average weight of fish landed, and the estimated catch rates over time; and

Whereas, since NOAA Fisheries is responsible for ensuring that the entire recreational harvest, including harvest in state waters, does not exceed the recreational quota, then if states establish a longer season or a larger bag limit for state waters than the federal regulations allow in federal waters, the federal season must be adjusted to account for the additional harvest expected in state waters; and

Whereas, if all states were to implement consistent regulations, the 2013 recreational season would be twenty-eight days, assuming the recreational quota is increased to 4.145 million pounds through separate rule-making; and

Whereas, in addition to Louisiana, the states of Texas and Florida have indicated to NOAA Fisheries that they will implement inconsistent red snapper regulations for their state waters; and

Whereas, without this emergency rule, the 2013 federal season would be reduced to twenty-two days to compensate for that additional expected harvest; and

Whereas, this emergency rule allows NOAA Fisheries to calculate the recreational red snapper fishing season separately in the exclusive economic zone off each state to account for any inconsistency of regulations in state waters; and

Whereas, based on the expected regulations for Texas, Louisiana, and Florida, the preliminary season lengths would be as follows: Texas, twelve days; Louisiana, none days; Mississippi and Alabama, twenty-eight days; and Florida, twenty-one days; and

Whereas, on March 23, 2013, Louisiana implemented weekend-only recreational red snapper season that will end on September 30, with a recreational bag limit of three fish per day at sixteen-inch minimum; and

Whereas, the regional administrator of the National Oceanic and Atmospheric Administration Fisheries Service's Southeast Regional Office and his scientists can provide information on the following issues: (1) emergency rule on the recreational closure authority specific to federal waters off individual states for the recreational red snapper component of the Gulf of Mexico reef fish fishery; (2) methodology for determination of the length, allocations, and quotas for the red snapper season; (3) plans for the future allocations and quotas of red snapper; (4) update on the regional and Gulf of Mexico red snapper stock assessments on natural and artificial habitats; (5) relationship of size of quota to recovery of red snapper fisheries; (6) general conditions and health of red snapper fisheries and projections for future; and (7) requirements in order for Louisiana to get additional allocations or quotas based on Louisiana's management and growth of the red snapper fisheries: Now, therefore, be it

Resolved, that the Legislature of Louisiana memorializes the Congress of the United States and requests the secretary of the United States Department of Commerce to take such action as necessary to require the regional administrator of the National Oceanic and Atmospheric Administration Fisheries Service's Southeast Regional Office and his scientists to attend a meeting of the Louisiana Senate Committee on Natural Resources, on a date that is convenient for the parties during the month of April or the first

week of May, to provide information on the red snapper season, and be it further

Resolved, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, to the secretary of the United States Department of Commerce, and the regional administrator of the National Oceanic and Atmospheric Administration Fisheries Service's Southeast Regional Office.

POM-23. A concurrent resolution adopted by the House of Representatives of the State of Missouri supporting continued and increased development and delivery of oil derived from North American oil reserves to United States refineries; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 19

Whereas, the United States relies—and will continue to rely for many years—on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

Whereas, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

Whereas, the United States accounts for 20% of world energy consumption and is the world's largest petroleum consumer. The United States consumes more than 15 million barrels of oil each day, with forecast suggesting that this will not change for decades; and

Whereas, even with new technology, oil discoveries, alternative fuels, and conservation efforts, the United States will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food, and drive their vehicles, but to allow the United States economy to thrive and grow free from the potential threats and disruptions of crude oil supply from less secure parts of the world; and

Whereas, the growing production of conflict-free oil from Canada's oil sands and the Bakken formation in Saskatchewan, Montana, North Dakota, and South Dakota can replace crude imported from countries that do not share American values, but additional pipeline capacity to refineries in the United States Midwest and Gulf Coast is required; and

Whereas, increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards equal to that of the United States, and some of the most stringent human rights and worker protection laws in the world; and

Whereas, improvements in production technology have reduced the carbon footprint of Canadian oil sands development by 26% on a per barrel basis since 1990. Oil sands production accounts for 6.9% of Canada's greenhouse gas (GHG) emissions and 0.1% (1/100th) of global GHG emissions. Total emissions from Canada's oil sands sector was 48 megatons in 2010, equivalent to 0.5% of United States GHG emissions. Oil sands crude has similar CO₂ emissions to other heavy oils and is 6% more carbon-intensive than the average crude refined in the United States on a wells-to-wheels basis; and

Whereas, the 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day (bpd), or half of United States refining capacity. In 2011, these refineries imported approximately 5 million bpd of crude oil from more than 30 countries, with the top four

suppliers being Mexico (22%), Saudi Arabia (17%), Venezuela (16%), and Nigeria (9%). Imports from Mexico and Venezuela are declining as production from those countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL Pipeline and Gulf Coast Expansion projects could displace roughly 40% of the oil the United States currently imports from the Persian Gulf and Venezuela; and

Whereas, the Keystone XL Pipeline project has been subject to the most thorough public consultation process of any proposed United States pipeline, and the subject of multiple environmental impacts statements and several United States Department of State studies which have concluded that it poses the least impact to the environment and is much safer than other modes of transporting crude oil; and

Whereas, the original Keystone Pipeline, which spans across the northern part of Missouri, supplies over 500,000 barrels of North American crude oil to American refiners in the Midwest. When completed, the Keystone XL Pipeline will carry 830,000 barrels of North American crude oil to American refineries in the Gulf Coast region which will make its way back to Missouri in the form of gasoline, diesel, and jet fuel; and

Whereas, the Keystone XL Pipeline project will create approximately 9,000 construction jobs. The Gulf Coast Expansion project is a \$2.3 billion project that has created approximately 4,000 construction jobs. Combined, these projects support yet another 7,000 manufacturing jobs. 75% of the pipe used to build the Keystone XL Pipeline in the United States will come from North American mills, including half made by United States workers. Goods for the pipeline valued at approximately \$800 million have already been sourced from United States manufacturers: Now, therefore, be it

Resolved, That the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby strongly:

(1) Support continued and increased development and delivery of oil derived from North American oil reserves to United States refineries;

(2) Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States;

(3) Urge the President of the United States to support the continued and increased importation of oil derived from the Bakken formation in Montana, North Dakota, and South Dakota, as well as Canadian oil sands;

(4) Urge the United States Secretary of State to approve the newly routed pipeline application from TransCanada to reduce dependence on unstable governments, create new jobs, improve our national security, and strengthen ties with an important ally; and be it further

Resolved, That the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Adam Crumbliss, Chief Clerk of the House of Representatives, and Terry L. Spieler, Secretary of the Senate, do hereby certify that the aforementioned is a true and correct copy of House Concurrent Resolution No. 19, adopted by the House of Representatives on March 14, 2013, and concurred in the Senate on April 17, 2013.

POM-24. A concurrent resolution adopted by the Legislature of the State of Louisiana

memorializing the United States Congress to take whatever actions necessary to encourage and support reunification of Ireland; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION NO. 21

Whereas, Ireland is an ancient and distinct land, an island-nation artificially rendered in two in 1922; partitioned by the Government of Ireland Act as an independent Irish state and Northern Ireland which remained a dominion of the United Kingdom; and

Whereas, the partition divided the nation into Northern Ireland, which is composed of six counties and is one of the four constituent countries of the British Crown, and Southern Ireland, which consists of the remaining twenty-six counties and which eventually became the Republic of Ireland in 1949; and

Whereas, the Belfast Agreement, also known as the Good Friday Agreement, was ratified by the Irish and British governments on April 10, 1998, as was successfully negotiated with support from the United States; and

Whereas, the Good Friday Agreement represents a fundamental political advance that created a framework and a mechanism for further political development toward the final resolution of the issue and reunification; and

Whereas, today with self determination, the Irish Republic enjoys an unencumbered economic future as a viable member of the European Union; and

Whereas, the time has come to bring about a seamless resolution of the partition of Ireland in favor of a more united, sovereign nation that guarantees equal rights and equal opportunities for all of its citizens; and

Whereas, in every area that affects the overall well-being of the Irish people, including their economy, education, health, governance, and social interaction, a united Ireland proffers the best opportunity for peace and prosperity for a divided Irish population; Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to take whatever actions necessary to encourage and support the reunification of Ireland, and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-25. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for Amyotrophic Lateral Sclerosis; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 14

Whereas, amyotrophic lateral sclerosis, or ALS, is more commonly known as Lou Gehrig's disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord; and

Whereas, the initial symptom of ALS is usually weakness of the skeletal muscles, especially those of the extremities; and

Whereas, as ALS progresses, the patient typically experiences difficulty in swallowing, talking, and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, ALS does not affect mental capacity of the patient, such that the patient

remains alert and aware of surroundings and aware of the loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, on average, patients diagnosed with ALS survive only two to five years from the time of diagnosis; and

Whereas, despite the catastrophic consequences of a diagnosis of ALS, the disease currently has no known cause, means of protection, or cure; and

Whereas, research indicates that military veterans are at a sixty percent greater risk of developing ALS than those who have not served in the military; and

Whereas, the United States Department of Veterans Affairs has promulgated regulations to establish a presumption of service connection for ALS thereby presuming that the development of ALS was incurred or aggravated by a veteran's service in the military; and

Whereas, a national ALS registry, administered by the Centers for Disease Control and Prevention, is currently identifying cases of ALS in the United States and may become the largest ALS research project ever undertaken; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month increases the awareness of the circumstances of living with ALS and acknowledges the terrible impact this disease has not only on the patient, but also on the family and community of anyone receiving such a diagnosis; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month also increases awareness of research being done to eradicate this dire disease; Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby recognize May 2013 as Amyotrophic Lateral Sclerosis Awareness Month, and be it further

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for Amyotrophic Lateral Sclerosis, and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-26. A resolution adopted by the Georgia State Senate requesting that Georgia's Congressional delegation, Congress as a whole, and President Obama immediately resolve our national debt crisis with a bipartisan, balanced, comprehensive, long-term solution; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 423

Whereas, our national debt is more than 70 percent of our economy (\$11.1 trillion) and is on track to exceed 100 percent of the economy next decade; and

Whereas, rising national debt threatens to stunt the strength of our economy and eventually lead to an economic crisis; and

Whereas, our national debt threatens the solvency of Social Security and medicare; and

Whereas, if Congress and President Obama fail to avoid the looming fiscal cliff and find a comprehensive solution to our national debt, Georgia could lose up to 50,000 jobs due to federal spending cuts; and

Whereas, continued missed opportunities for resolution and successive manufactured crises add to economic uncertainty, preventing business development and investment; and

Whereas, failing to resolve our national debt crisis imperils the economic and financial security of future generations; and

Whereas, smart and gradual debt reduction can reverse all of the negative economic and generational consequences of elevated and rising debt; and

Whereas, a credible plan could help strengthen our fragile economic recovery by improving confidence and reducing uncertainty; and

Whereas, fixing the debt could restore public faith in Washington's ability to solve problems; and

Whereas, our national debt can only be resolved through a bipartisan, comprehensive solution that reins in spending, raises revenues, and reforms entitlements: Now, therefore, be it

Resolved by the Senate, That the members of this body request that Georgia's Congressional delegation, Congress as a whole, and President Obama immediately resolve our national debt crisis with a bipartisan, balanced, comprehensive, long-term solution, and be it further

Resolved, That the Secretary of the Senate is authorized and directed to transmit an appropriate copy of this resolution to Georgia's Congressional delegation, all Congressional members, and President Obama.

POM-27. A resolution adopted by the Legislature of Rockland County, New York, calling upon the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; to the Committee on Banking, Housing, and Urban Affairs.

POM-28. A resolution adopted by the Pecos River Commission requesting that the United States Congress reauthorize the Water Resources Development Act of 2007, Section 5056, and appropriate sufficient funds to carry out work related to the legislation; to the Committee on Environment and Public Works.

POM-29. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Congress to pass S. 84 and H.R. 377—Paycheck Fairness Act of 2013; to the Committee on Health, Education, Labor, and Pensions.

POM-30. A resolution adopted by the City Council of Seaside, California expressing its support to the President of the United States, the Senate, and the House of Representatives, for comprehensive immigration reform and urging action to adopt comprehensive immigration legislation; to the Committee on the Judiciary.

POM-31. A resolution adopted by the Board of Supervisors of the County of Monterey of the State of California urging the United States Supreme Court to affirm the constitutionality of the Voting Rights Act; to the Committee on the Judiciary.

POM-32. A resolution adopted by the Pecos River Commission requesting that Congress fully fund the National Streamflow Information Program (NSIP) gages associated with the Pecos River Basin and the U.S. Geological Survey placing a priority on funding these gages under NSIP; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration:

Report to accompany S. Res. 64, An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013 (Rept. No. 113-41).

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 579. A bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial

International Civil Aviation Organization Assembly, and for other purposes (Rept. No. 113-42).

S. 793. A bill to support revitalization and reform of the Organization of American States, and for other purposes (Rept. No. 113-43).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Valerie E. Caproni, of the District of Columbia, to be United States District Judge for the Southern District of New York.

Vernon S. Broderick, of New York, to be United States District Judge for the Southern District of New York.

Derek Anthony West, of California, to be Associate Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FRANKEN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. RUBIO, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. CARDIN, Mr. SCHUMER, Mr. CARPER, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. WHITEHOUSE, Mr. JOHNSON of South Dakota, Mr. COONS, and Ms. MIKULSKI):

S. 1156. A bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1157. A bill to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, the Delaware and Lehigh National Heritage Corridor, and the Schuylkill River Valley National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. ENZI):

S. 1158. A bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 1159. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 1160. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified conservation contributions which include National Scenic Trails; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. WICKER):

S. 1161. A bill to provide for the development of a fishery management plan for the Gulf of Mexico red snapper, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 1162. A bill to authorize the Administrator of the National Oceanic and Atmospheric Administration to provide certain funds to eligible entities for activities undertaken to address the marine debris impacts of the March 2011 Tohoku earthquake and subsequent tsunami, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 1163. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. COONS):

S. 1164. A bill to amend the Patient Protection and Affordable Care Act to clarify provisions with respect to church plans; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. PRYOR, Mr. BEGICH, and Mr. WYDEN):

S. 1165. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ISAKSON (for himself, Mr. ALEXANDER, Mr. BURR, Mr. COATS, Mr. CORKER, Mr. CORNYN, Mr. ENZI, Mr. GRAHAM, Mr. INHOFE, Mr. JOHANNES, Mr. KIRK, Mr. ROBERTS, and Mr. SCOTT):

S. 1166. A bill to amend the National Labor Relations Act to provide for appropriate designation of collective bargaining units; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER (for himself and Mr. REID):

S. 1167. A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1168. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to limit overbroad surveillance requests and expand reporting requirements and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 1169. A bill to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1170. A bill to provide for youth jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. JOHANNES, Mr. MCCAIN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, and Mr. VITTER):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON:

S. Res. 170. A resolution commemorating John Lewis on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. COLLINS, and Mr. NELSON):

S. Res. 171. A resolution designating June 15, 2013, as "World Elder Abuse Awareness Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 104

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 104, a bill to provide for congressional approval of national monuments and restricts on the use of national monuments.

S. 109

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 113

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 117

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 117, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 330

At the request of Mrs. BOXER, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 409

At the request of Mr. BURR, the name of the Senator from Alaska (Mr.

BEGICH) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 522

At the request of Mr. DURBIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 522, a bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 577

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 695

At the request of Mr. BEGICH, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation cri-

teria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Tennessee (Mr. CORKER), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. BEGICH, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 928

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 928, a bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 947

At the request of Mrs. HAGAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 947, a bill to ensure access to certain information for financial services industry regulators, and for other purposes.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1118

At the request of Mr. WYDEN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1118, a bill to

amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 154

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 154, a resolution calling for free and fair elections in Iran, and for other purposes.

S. RES. 165

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 165, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Mr. BEGICH) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 1198 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1222

At the request of Ms. LANDRIEU, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1222 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1246

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1246 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1247

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1247 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1251 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. JOHANNIS, Mr. MCCAIN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, and Mr. VITTER):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, tomorrow is Flag Day and I am proud to be joined by 21 of my colleagues in introducing an amendment to the Constitution giving Congress power to prohibit the physical desecration of the flag of the United States. At a time when many issues divide us, the flag to which we pledge allegiance ought to be one thing that unites us.

On this day in 1777, the Continental Congress adopted a resolution designating the design of the flag of the United States. President Woodrow Wilson first issued a proclamation in 1916 officially establishing June 14 as Flag Day and Congress did so by statute in 1949.

States began adopting laws protecting the American flag in the late 19th century and every state had adopted such a law by 1932. Congress adopted the Federal Flag Code in 1942 providing uniform guidelines for displaying the flag and in 1968 enacted the Federal Flag Protection Act.

We have, as they say, come a long way—but not in a good direction. Gregory Johnson, a member of the Revolutionary Communist Party, was prosecuted under State law for torching an American flag at the 1984 Republican National Convention in Dallas. Five years later, in *Texas v. Johnson*, the U.S. Supreme Court held that the State flag protection law violated the First Amendment. Congress quickly revised the Flag Protection Act but in *United States v. Eichman*, the Supreme Court held in 1990 that it too violated the First Amendment.

I believe these two cases, decided by the narrowest 5-4 margins, were based on an incorrect interpretation of the First Amendment. But I also believe that the Constitution belongs to the American people, not to Federal judges.

The Constitution embodies the will of the American people in setting rules for government. The Constitution defines what the federal government may do by enumerating its powers in the body of the Constitution. It defines what government may not do by identifying individual rights in the amendments to the Constitution.

The Supreme Court has had its say, concluding that neither States nor the Federal Government may prohibit

desecration of the American flag. But the Supreme Court does not have the last word about what the Constitution says or what the Constitution means. The American people do. They alone have authority to change the Constitution's rules for government.

This is why I first introduced a flag protection constitutional amendment on June 22, 1989, just one day after the Supreme Court's decision in *Texas v. Johnson*. The American people can decide whether to change their Constitution only when an amendment is proposed and sent to the States for ratification. The American people should have that opportunity regarding protection of this unique symbol of national unity.

Today is the ninth time I have introduced a flag protection amendment. The Senate has voted five times on such proposals, including three of mine. The bipartisan support has grown each time—from 51 votes in 1989, 58 votes in 1990, 63 votes in 1995 and 2000, and 66 votes in 2006, just one short of the $\frac{2}{3}$ required by the Constitution.

Members of Congress must keep two things in mind. First, even if it is ratified, this amendment would not prohibit flag desecration. It would merely give Congress authority to do so. Remember what the Supreme Court did in its pair of decisions. The court did not say government should not protect the flag, but said that government may not do so. This amendment would restore that authority. I believe that a vigorous and public debate about our shared values and principles and about the flag as a unique symbol of national unity would be very healthy for America. We can have that debate only when the Constitution allows it and with this amendment the Constitution would.

Second, members of Congress must remember our role in the constitutional amendment process. Congress cannot amend the Constitution. We can propose amendments, but the Constitution is not changed until $\frac{3}{4}$ of the States say so. Congress should not deprive the American people of the opportunity to express their will on this important issue.

The American people want that opportunity. All 50 State legislatures have indicated their support for a constitutional amendment to allow protection of the flag.

Just a few days ago, President Obama issued the annual proclamation designating this week as National Flag Week and designating today as Flag Day. He urged all Americans to observe these "with pride and all due ceremony . . . as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America." I believe that we can make that ongoing observance and celebration complete by restoring authority to protect this symbol of national unity.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 170—COM-
MEMORATING JOHN LEWIS ON
THE 50TH ANNIVERSARY OF HIS
CHAIRMANSHIP OF THE STU-
DENT NONVIOLENT COORDI-
NATING COMMITTEE

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 170

Whereas Congressman John Robert Lewis was born on February 21, 1940, outside of Troy, Alabama, to parents Eddie and Willie Mae (Carter) Lewis;

Whereas John Lewis has devoted his life to safeguarding human rights, protecting civil liberties, and building what he calls "the Beloved Community" in the United States;

Whereas John Lewis grew up on a farm in a family of sharecroppers and attended segregated public schools in Pike County, Alabama;

Whereas, drawing inspiration at an early age from the dedication and bravery demonstrated through the Montgomery Bus Boycott and the Reverend Martin Luther King, Jr., John Lewis joined the movement to secure the basic equal rights guaranteed by the Constitution of the United States;

Whereas, while studying at Fisk University, where he earned a Bachelor of Arts in Religion and Philosophy, John Lewis led the charge by unifying and organizing volunteers for sit-in demonstrations at segregated lunch counters in Nashville, Tennessee;

Whereas, in 1961, John Lewis showed his bravery and dedication while participating in Freedom Rides, challenging segregation at interstate bus terminals throughout the South, subjecting himself to being beaten by an angry mob, and even being arrested for peacefully confronting the injustice of Jim Crow segregation in the South;

Whereas, from 1963 to 1966, at a pivotal point in the Civil Rights Movement, John Lewis was named Chairman of the Student Nonviolent Coordinating Committee, which he helped found, orchestrating student activism in the Movement, including sit-ins, voter registration drives, community action programs, and other activities;

Whereas, at the young age of 23, John Lewis achieved national recognition and respect as 1 of the "Big Six" leaders of the Civil Rights Movement, both planning and speaking at the historic March on Washington in August 1963, along with fellow leaders and friends such as Martin Luther King, Jr.;

Whereas, along with many others, John Lewis demonstrated great courage by risking his life and casting light on the senseless cruelty of the time when he was brutally attacked while leading over 600 peaceful orderly protestors across the Edmund Pettus Bridge in Selma, Alabama, to demonstrate the need for voting rights, on March 7, 1965, which later became known as "Bloody Sunday," expediting the passage of the Voting Rights Act of 1965 (42 U.S.C. 1971 note; Public Law 89-110);

Whereas, in 1968, John Lewis portrayed wisdom in balancing his advocacy with family, taking Lillian Miles Lewis as his wife and later raising their son, John Miles Lewis, together;

Whereas John Lewis was elected in 1986 to serve as the United States Representative for Georgia's Fifth Congressional District and has capably and effectively served his constituency since then, serving as Chief Deputy Whip for the House Democratic caucus; and

Whereas John Lewis's unwavering ethical and moral principles have garnered admiration and respect from his colleagues on both sides of the aisle: Now, therefore, be it

Resolved, That the Senate—

(1) commends Congressman John Lewis of Georgia on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee; and

(2) commemorates his legacy of tirelessly working to secure civil liberties for all, thereby building and ensuring a more perfect Union.

SENATE RESOLUTION 171—DESIGNATING JUNE 15, 2013, AS “WORLD ELDER ABUSE AWARENESS DAY”

Mr. BLUMENTHAL (for himself, Ms. COLLINS, and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

Whereas Federal Government estimates show that more than 1 in 10 persons over age 60, or 6,000,000 individuals, are victims of elder abuse each year;

Whereas the vast majority of the abuse, neglect, and exploitation of older adults in the United States goes unidentified and unreported;

Whereas only 1 in 44 cases of financial abuse of older adults is reported;

Whereas at least \$2,900,000,000 is taken from older adults each year due to financial abuse and exploitation;

Whereas elder abuse, neglect, and exploitation have no boundaries and cross all racial, social, class, gender, and geographic lines;

Whereas older adults who are abused are 3 times more likely to die earlier than older adults of the same age who are not abused;

Whereas, although all 50 States have laws against elder abuse, incidents of elder abuse have increased by 150 percent over the last 10 years;

Whereas public awareness has the potential to increase the identification and reporting of elder abuse by the public, professionals, and victims, and can act as a catalyst to promote issue-based education and long-term prevention; and

Whereas private individuals and public agencies must work together on the federal, state, and local levels to combat increasing occurrences of abuse, neglect, and exploitation crime and violence against vulnerable older adults and vulnerable adults, particularly in light of limited resources for vital protective services: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 15, 2013 as “World Elder Abuse Awareness Day”;

(2) recognizes judges, lawyers, adult protective services professionals, law enforcement officers, social workers, health care providers, victims' advocates, and other professionals and agencies for their efforts to advance awareness of elder abuse; and

(3) encourages members of the public and professionals who work with older adults to act as catalysts to promote awareness and long-term prevention of elder abuse by reaching out to local adult protective services agencies and by learning to recognize, detect, report, and respond to elder abuse.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1259. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1260. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1261. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1262. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1263. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1264. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1265. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1266. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1267. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1268. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1269. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1270. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1271. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1273. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1274. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1275. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1276. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1277. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1278. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1279. Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID, of NV to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes.

SA 1280. Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID, of NV to the resolution S. Res. 154, supra.

SA 1281. Mr. REID (for Mr. HOEVEN) proposed an amendment to the resolution S. Res. 154, supra.

SA 1282. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1283. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1284. Mr. SANDERS (for himself, Mr. GRASSLEY, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1285. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1286. Mr. CARDIN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1259. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) **PROVISION OF INFORMATION TO THE NCIC.**—Not later than 180 days after the date of the enactment of this Act and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all the information in the possession of the Secretary regarding—

(1) any alien against whom a final order of removal has been issued;

(2) any alien who has entered into a voluntary departure agreement;

(3) any alien who has overstayed his or her authorized period of stay; and

(4) any alien whose visa has been revoked.

(b) **INCLUSION OF INFORMATION IN IMMIGRATION VIOLATORS FILE.**—The National Crime Information Center shall enter the information provided pursuant to subsection (a) into the Immigration Violators File of the National Crime Information Center database, regardless of whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) sufficient identifying information is available with respect to the alien.

(c) **CONFORMING AMENDMENT.**—

(1) **IN GENERAL.**—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

“(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and”.

(2) **EFFECTIVE DATE.**—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented not later than 6 months after the date of the enactment of this Act.

(d) **TECHNOLOGY ACCESS.**—States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. 3723. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) **PROVISION OF INFORMATION.**—As a condition of receiving compensation for the incarceration of undocumented criminal aliens pursuant to section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)), grants under the “Cops on the Beat” program authorized under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), or other law enforcement grants from the Department or the Department of Justice, each State, and each political subdivision of a State, shall, in a timely manner, provide the Secretary with the information specified in subsection (b) with respect to each alien apprehended in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) **INFORMATION REQUIRED.**—The information required under this subsection is—

- (1) the alien’s name;
- (2) the alien’s address or place of residence;
- (3) a physical description of the alien;
- (4) the date, time, and location of the encounter with the alien and the reason for stopping, detaining, apprehending, or arresting the alien;
- (5) the alien’s driver’s license number, if applicable, and the State of issuance of such license;
- (6) the type of any other identification document issued to the alien, if applicable, any designation number contained on the identification document, and the issuing entity for the identification document;
- (7) the license plate number, make, and model of any automobile registered to, or driven by, the alien, if applicable;
- (8) a photo of the alien, if available or readily obtainable; and
- (9) the alien’s fingerprints, if available or readily obtainable.

(c) **ANNUAL REPORT ON REPORTING.**—The Secretary shall maintain, and annually submit to the Congress, a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) **REIMBURSEMENT.**—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) **EFFECTIVE DATE.**—This section shall take effect on the date that is 120 days after the date of the enactment of this Act and shall apply with respect to aliens apprehended on or after such date.

SEC. 3724. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) **IN GENERAL.**—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking “Immigration and Naturalization Service” each place it appears and inserting “Department of Homeland Security”;

(2) in subsection (a), by striking “may” and inserting “shall”;

(3) in subsection (b)—

(A) by striking “no person or agency may” and inserting “a person or agency shall not”;

(B) by striking “doing any of the following with respect to information” and inserting “undertaking any of the following law enforcement activities”;

(C) by striking paragraphs (1) through (3) and inserting the following:

“(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

“(2) Complying with requests for information from Federal law enforcement.

“(3) Complying with detainers issued by the Department of Homeland Security.

“(4) Issuing policies in the form of a resolution, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.”; and

(4) by adding at the end the following:

“(d) **COMPLIANCE.**—

“(1) **IN GENERAL.**—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers’ routine law enforcement duties shall not be eligible to receive, for a minimum period of 1 year—

“(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the ‘Cops on the Beat’ program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

“(B) any other law enforcement or Department of Homeland Security grant.

“(2) **ANNUAL DETERMINATION AND REPORT.**—The Secretary shall—

“(A) annually determine which States or political subdivisions of a State are ineligible for certain Federal funding pursuant to paragraph (1); and

“(B) submit a report to Congress by March 1st of each year that lists such States and political subdivisions.

“(3) **OTHER REPORTS.**—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives.

“(4) **CERTIFICATION.**—Any jurisdiction that is described in paragraph (1) shall be ineligible to receive Federal financial assistance described in paragraph (1) until after the Attorney General certifies that the jurisdiction no longer prohibits its law enforcement officers from assisting or cooperating with Federal immigration law enforcement.

“(5) **REALLOCATION.**—Any funds that are not allocated to a State or to a political subdivision of a State pursuant to paragraph (1) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

“(e) **CONSTRUCTION.**—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Ille-

gal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning on the date that is 1 year after the date of the enactment of this Act.

SA 1260. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. STANDARDS FOR SHORT-TERM CUSTODY BY U.S. CUSTOMS AND BORDER PROTECTION.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall, in consultation with the Office for Civil Rights and Civil Liberties of the Department, prescribe regulations establishing standards for short-term custody of aliens by U.S. Customs and Border Protection that provide for basic minimums of care at all facilities of U.S. Customs and Border Protection that hold aliens in custody, including Border Patrol stations, ports of entry, checkpoints, forward operating bases, secondary inspection areas, and short-term custody facilities.

(b) **REQUIREMENTS.**—

(1) **IN GENERAL.**—The regulations prescribed under subsection (a) shall include standards with respect to the following:

(A) Limits on detention space capacity.

(B) The availability of potable water and food.

(C) Access to bathroom facilities and hygiene items.

(D) Sleeping arrangements for detainees held overnight.

(E) Adequate climate control.

(F) Access to language-appropriate forms and materials that include an explanation of the consequences of signing such forms.

(G) Pregnant women and individuals with medical needs.

(H) Reasonable accommodations in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(I) Access to emergency medical care, if necessary.

(J) Access to facilities by nongovernmental organizations.

(K) Transferring detainees to facilities of U.S. Immigrations and Customs Enforcement and of the Office for Refugee Resettlement.

(2) **ADDITIONAL STANDARDS.**—The Secretary may prescribe such additional standards with respect to the short-term custody of aliens as the Secretary considers appropriate.

(c) **INSPECTIONS.**—

(1) **INSPECTIONS BY OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.**—The Ombudsman for Immigration Related Concerns established by section 104 of the Homeland Security Act of 2002, as added by section 1114, shall—

(A) inspect the facilities described in subsection (a) not less frequently than annually; and

(B) make the results of the inspections available to the public without the need to submit a request under section 552 of title 5, United States Code.

(2) **INSPECTIONS BY BORDER OVERSIGHT TASK FORCE.**—Each facility described in subsection (a) shall be available for inspection by members of the Department of Homeland Security Border Oversight Task Force established by section 1113.

(d) **CERTIFICATION.**—Not later than 18 months after the issuance of the regulations required by subsection (a), the Secretary

shall certify to Congress that the regulations have been fully implemented.

SA 1261. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . RECOGNITION OF STATE COURT DETERMINATIONS OF NAME AND BIRTH DATE.

Section 320 (8 U.S.C. 1431) is amended by adding at the end the following:

“(c) A Certificate of Citizenship or other Federal document issued or requested to be amended under this section shall reflect the child’s name and date of birth as indicated on a birth certificate, certificate of birth facts, certificate of birth abroad, or similar State vital records document issued by the child’s State of residence in the United States after the child has been adopted or re-adopted in that State.”.

SA 1262. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1231, between lines 12 and 13, insert the following:

(g) EMERGENCY ENTRY FOR ADOPTED AND MINOR RELATIVES.—Section 212(d)(5) (8 U.S.C. 1182(d)(5)) is amended—

(1) by striking “(5)(A) The Attorney General may” and inserting the following:

“(5) PAROLE.—

“(A) IN GENERAL.—The Director of U.S. Citizenship and Immigration Services (referred to in this paragraph as the ‘Director’);

(2) by striking “Attorney General” each place such term appears and inserting “Director”;

(3) in subparagraph (A)—

(A) by striking “in his discretion” and inserting “in the discretion of the Director, may”;

(B) by striking “he may” and inserting “the Director may”;

(C) by striking “he was” and inserting “the alien was”; and

(D) by striking “his case” and inserting “the alien’s case”;

(4) by striking “(B)” and inserting the following:

“(C) LIMITATION.—”; and

(5) by inserting after subparagraph (A) the following:

“(B) SPECIAL USE OF PAROLE AUTHORITY.—

“(i) IN GENERAL.—Notwithstanding any other provision of this Act, the Director, in the discretion of the Director, may grant parole into the United States to a child who is unparented or otherwise in an emergent situation in the child’s country of origin or habitual residence if the Director determines that—

“(I) the party or parties seeking parole on behalf of the child have a preexisting relationship with the child, such as a pending adoption case or a familial relationship;

“(II) the child is not subject to any ongoing investigation or legal dispute as to custody in the child’s country of origin or habitual residence;

“(III) there is no explicit objection by the government of the child’s country of origin

or habitual residence to the United States granting parole to the child;

“(IV) the child will receive proper care in the United States by the party or parties who seek parole on behalf of the child, based on a review of the suitability of the party or parties, which may include background checks or a home study conducted by a licensed child placing agency;

“(V) the parties seeking parole on behalf of the child will make every effort to follow the laws of the United States and of the child’s country of origin or habitual residence in resolving any outstanding issues of custody based on the best interests of the child; and

“(VI) the parties seeking parole on behalf of the child intend—

“(aa) to reunite the child with the child’s parents or guardians at the first possible opportunity; or

“(bb) to seek to adopt the child permanently and legally.

“(ii) TOLLING OF 2-YEAR PERIODS.—If a child is granted parole under this subparagraph—

“(I) the 2-year period for legal custody of the child with respect to filing an immediate relative petition on behalf of the child shall begin to toll on the date on which the party or parties seeking parole on behalf of the child document a grant of custody in the child’s country of origin or habitual residence or in the United States;

“(II) the 2-year period for physical custody of the child, with respect to filing an immediate relative petition on behalf of the child, shall begin to toll on the date on which the child shares a residence with the party or parties seeking parole in the child’s country of origin or habitual residence or in the United States; and

“(III) the requirement for approval of an immediate relative petition that the 2 years of joint residence and legal custody be spent outside the United States in cases involving Hague Adoption Convention partner countries under section 204.2(d)(2)(vii)(E) of title 8, Code of Federal Regulations, shall not apply.”.

SA 1263. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 954, beginning on line 3, strike “and” and all that follows through “(III)” on line 4, and insert the following:

“(III) an affidavit from aliens who are 18 years of age or older stating that the alien—

“(aa) unlawfully entered the United States on or before December 31, 2012; or

“(bb) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(IV)

On page 1044, line 23, strike the period at the end and insert the following: “, including an affidavit from aliens who are 18 years of age or older stating that the alien—

(i) unlawfully entered the United States on or before December 31, 2012; or

(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of this Act.

On page 1476, beginning on line 9, strike “and” and all that follows through “(E)” on line 10, and insert the following:

“(E) is 18 years of age or older and submits an affidavit to the Secretary of Homeland Security or the Attorney General stating that the alien—

“(i) unlawfully entered the United States on or before December 31, 2012; or

“(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

“(F)

SA 1264. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

TITLE V—PRIVATE PRISONS

SECTION 5001. SHORT TITLE.

This title may be cited as the “Private Prison Information Act of 2013”.

SEC. 5002. FREEDOM OF INFORMATION ACT APPLICABLE FOR CONTRACT PRISONS.

(a) IN GENERAL.—Each applicable entity shall be subject to section 552 of title 5, United States Code (popularly known as the Freedom of Information Act), in the same manner as a Federal agency operating a Federal prison or other Federal correctional facility would be subject to such section of title 5, including—

(1) the duty to release information about the operation of the non-Federal prison or correctional facility; and

(2) the applicability of the exceptions and exemptions available under such section.

(b) REGULATIONS.—A Federal agency that contracts with, or provides funds to, an applicable entity to incarcerate or detain Federal prisoners in a non-Federal prison or correctional facility shall promulgate regulations or guidance to ensure compliance by the applicable entity with subsection (a).

(c) NO FEDERAL FUNDS FOR COMPLIANCE.—No Federal funds may be used to assist applicable entities with compliance with this section or section 552 of title 5, United States Code.

(d) CIVIL ACTION.—Any party aggrieved by a violation of section 552 of title 5, United States Code, by an applicable entity, as such section is applicable to such an entity in accordance with subsection (a), may, in a civil action, obtain appropriate relief against the applicable entity for the violation.

(e) DEFINITIONS.—In this section:

(1) NON-FEDERAL PRISON OR CORRECTIONAL FACILITY.—

(A) IN GENERAL.—The term “non-Federal prison or correctional facility” includes any non-Federal facility described in subparagraph (B) that incarcerates or detains Federal prisoners pursuant to a contract or intergovernmental service agreement with—

(i) the Federal Bureau of Prisons;

(ii) Immigration and Customs Enforcement; or

(iii) any other Federal agency.

(B) NON-FEDERAL FACILITIES.—A non-Federal facility is—

(i) a privately owned prison or other privately owned correctional facility; or

(ii) a State or local prison, jail, or other correctional facility.

(2) ENTITY.—The term “applicable entity” means—

(A) a nongovernmental entity contracting with, or receiving funds from, the Federal Government to incarcerate or detain Federal prisoners in a non-Federal prison or correctional facility; or

(B) a State or local governmental entity with an intergovernmental service agreement with the Federal Government to incarcerate or detain Federal prisoners in a non-Federal prison or correctional facility.

SA 1265. Mr. CARDIN submitted an amendment intended to be proposed by

him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, insert the following:

SEC. 3722. PREEMPTION OF STATE AND LOCAL LAW.

(a) IN GENERAL.—

(1) PREEMPTION OF STATE AND LOCAL LAW.—Title I is (8 U.S.C. 1101 et seq.) is amended by adding at the end the following:

“SEC. 107. PREEMPTION OF STATE AND LOCAL LAW.

“(a) Except as explicitly authorized or required by Federal law, the provisions of this Act preempt any State or local law or policy that—

“(1) imposes a civil or criminal sanction, impairment, or liability on the basis of either immigration status or violation of a provision of this Act or the Border Security, Economic Opportunity, and Immigration Modernization Act; or

“(2) requires the disclosure of immigration status as a condition of receiving any dwelling, good, program, or service.

“(b) CONSTRUCTION.—Nothing in this section may be construed to restrict the authority of a State or locality to cooperate in the enforcement of Federal immigration law, to the extent that such cooperation is explicitly authorized by this Act or the Border Security, Economic Opportunity, and Immigration Modernization Act.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section is amended by inserting after the item relating to section 106 the following:

“Sec. 107. Preemption of State and local law.”.

(b) INFORMATION SHARING BETWEEN STATE AND LOCAL GOVERNMENT AGENCIES AND THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644) is amended to read as follows:

“SEC. 434. INFORMATION SHARING BETWEEN STATE AND LOCAL GOVERNMENT AGENCIES AND THE DEPARTMENT OF HOMELAND SECURITY.

“(a) IN GENERAL.—Notwithstanding any other provision of Federal, State, or local law, no Federal, State, or local government entity or official may prohibit, or in any way restrict, any government entity or official from sending the Secretary of Homeland Security information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

“(b) ADDITIONAL AUTHORITY OF GOVERNMENT ENTITIES.—Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, any government entity or official from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

“(1) Requesting such information from the Department of Homeland Security.

“(2) Maintaining such information.

“(3) Exchanging such information with any other Federal government entity.

“(c) OBLIGATION TO RESPOND TO REQUESTS.—The Secretary of Homeland Security shall respond to a request by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency by providing the requested verification or status information only when the request is made for a purpose explicitly authorized or required by Federal law.

“(d) DATA SHARING.—For purposes of enforcing the anti-discrimination provision of

title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the anti-discrimination provisions in section 809 of the Omnibus Crime Control Act and Safe Streets Act of 1968 (42 U.S.C. 3789d), the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997 et seq.), and other Federal civil rights laws, the Attorney General shall have access to all data collected and maintained pursuant to any request for verification under this section. No State or local government entity shall publicly disclose any such data unless explicitly authorized or required by Federal law. The Secretary and Attorney General will enter into an agreement setting forth the process for data sharing consistent with the purpose of this subsection.”.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2105) by striking the item relating to section 434 and inserting the following:

“Sec. 434. Information sharing between State and local government agencies and the Department of Homeland Security.”.

SA 1266. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 968, strike lines 9 through 21 and insert the following:

“(ii) ADDITIONAL SECURITY SCREENING.—The Secretary of Homeland Security, in consultation with the Secretary of State, may conduct additional national security and law enforcement background checks upon an intelligence based determination by the Secretary of Homeland Security that the alien represents an enhanced threat to national security.

SA 1267. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3305 and insert the following:

SEC. 3305. PROFILING.

(a) PROHIBITION.—In making routine or spontaneous law enforcement decisions, such as ordinary traffic stops, Federal law enforcement officers may not use race, ethnicity, religion, or national origin to any degree, except that officers may rely on race, ethnicity, religion, or national origin if a specific suspect description exists.

(b) EXCEPTION.—In conducting activities in connection with a specific investigation, Federal law enforcement officers may consider race, ethnicity, religion, or national origin only to the extent that there is trustworthy information, relevant to the locality or time frame, that links persons of a particular race, ethnicity, religion, or national origin to an identified criminal incident or scheme. This standard applies even where the use of race, ethnicity, religion, or national origin might otherwise be lawful.

(c) INTENT.—This section is not intended to and should not impede the ability of Federal, State, and local law enforcement officers to protect the United States and the people of the United States from any threat, be it foreign or domestic.

(d) DEFINED TERM.—In this section, the term “Federal law enforcement officer” means any officer, agent, or employee of the United States authorized by law or by a Gov-

ernment agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal law.

(e) STUDY AND REGULATIONS.—

(1) DATA COLLECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department of Homeland Security officers.

(2) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(3) REGULATIONS.—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(4) REPORTS.—Not later than 30 days after completion of the study required by paragraph (2), the Secretary shall submit the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) DEFINED TERM.—In this subsection, the term “covered Department of Homeland Security officer” means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration and Customs Enforcement, or the Transportation Security Administration.

SA 1268. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. MAXIMUM ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.

Section 4304(a)(16) of title 41, United States Code, is amended by inserting before the period at the end the following: “, except that in the case of contracts with the Department of Homeland Security or the National Guard while operating in Federal status that relate to border security, the limit on the costs of compensation of all executives and employees of contractors is the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)”.

SA 1269. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 897, strike lines 7 through 13 and insert the following:

(a) IN GENERAL.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, subject to the availability of appropriations for such purpose, hire, train, and assign to duty, by not later than September 30, 2018, 4,000 full-

time U.S. Customs and Border Protection officers to serve on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at United States land ports of entry on the Southern border.

(b) **WAIVER OF PERSONNEL LIMITATION.**—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

SA 1270. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 856, line 5, strike “Act,” and insert “Act and a notice that the mandatory exit data system required by section 3303(a)(2) is established as required by such section.”.

On page 857, strike lines 15 through 19 and insert the following:

(iv) the Secretary has implemented the biometric air and sea entry and exit data system in accordance with the applicable requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).

Beginning on page 1455, strike line 20 and all that follows through page 1456, line 8.

SA 1271. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 856, line 5, strike “Act,” and insert “Act and a notice that employers in the United States with more than 500 employees are required to participate in the Employment Verification System under section 274A(d)(2)(E) of the Immigration and Nationality Act, as amended by section 3101.”.

SA 1272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1861, beginning on line 24, strike “each of the most recent 2 years.” and insert “at least 2 of the most recent 3 years.”.

SA 1273. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VISA OVERSTAY NOTIFICATION PILOT PROGRAM.

(a) **ESTABLISHMENT OF PILOT PROGRAM.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program to explore the feasibility and effectiveness of notifying individuals who have traveled to the United States from a foreign nation that the terms of their admission to the United States are about to expire, including individuals that entered with a visa or through the visa waiver program.

(b) **REQUIREMENTS.**—In establishing the pilot program required under subsection (a), the Secretary shall—

(1) provide for the collection of contact information, including telephone numbers and email addresses, as appropriate, of individuals traveling to the United States from a foreign nation; and

(2) randomly select a pool of participants in order to form a statistically significant sample of people who travel to the United States each year to receive notification by telephone, email, or other electronic means that the terms of their admission to the United States is about to expire.

(c) **REPORT.**—Not later than 1 year after the date on which the Secretary establishes the pilot program under subsection (a), the Secretary shall submit to Congress a report on whether the telephone or email notifications have a statistically significant effect on reducing the rates of visa overstays in the United States.

SA 1274. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) **IN GENERAL.**—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall develop a strategy to address the unauthorized immigration of individuals who transit through Mexico.

(b) **REQUIREMENTS.**—The strategy developed under subsection (a) shall include—

(1) specific steps the Federal Government will take to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) specific steps the Federal Government will take to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) **IMPLEMENTATION OF STRATEGY.**—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in coordination with the Secretary of State, shall produce an educational campaign and disseminate educational materials about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in conjunction with the Secretary of Homeland Security, shall—

(A) provide training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) provide technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed.

(d) **REPORT TO CONGRESS.**—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall—

(1) submit to Congress the strategy developed under subsection (a); and

(2) provide a briefing to the appropriate Congressional committees on the strategy.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1275. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1106 and insert the following:

SEC. 1106. ACHIEVING PERSISTENT SURVEILLANCE.

(a) **ANALYSIS OF OPERATIONAL REQUIREMENTS.**—

(1) **IN GENERAL.**—As part of the Comprehensive Southern Border Security Strategy under section 5, and in order to achieve the goal of persistent surveillance, the Commissioner of U.S. Customs and Border Protection shall undertake a sector by sector analysis of the border to determine what specific technologies are most effective in identifying illegal cross-border traffic for each particular Border Patrol sector and station along the border.

(2) **REQUIREMENTS.**—The analysis conducted under paragraph (1) shall—

(A) include a comparison of the costs and benefits for each type of technology;

(B) estimate total life cycle costs for each type of technology; and

(C) identify specific performance metrics for assessing the performance of the technologies.

(b) **ENHANCEMENTS.**—In order to achieve surveillance over the southwest border 24 hours per day for 7 days per week and using the analysis conducted under subsection (a), the Commissioner of U.S. Customs and Border Protection shall—

(1) deploy additional mobile, video, and man-portable surveillance systems;

(2) ensure, to the extent practicable, that all aerial assets, including assets owned before the date of enactment of this Act, are outfitted with advanced sensors that can be used to detect cross-border activity and deploy agents, including infrared cameras, radars, or other technologies as appropriate;

(3) deploy tethered aerostat systems, including systems to detect low flying aircraft across the entire border, as well as systems to detect the movement of people and vehicles;

(4) operate unarmed unmanned aerial vehicles equipped with advanced sensors in every Border Patrol sector to ensure 24 hours per day coverage for 7 days a week, unless—

(A) severe or prevailing weather precludes operations in a given sector;

(B) the Secretary determines that national security requires unmanned aerial vehicles to be deployed elsewhere; or

(C) the governor of a State requests that the Secretary deploy unmanned aerial vehicles to assist with disaster recovery efforts or other law enforcement activities; and

(5) deploy unarmed additional fixed-wing aircraft and helicopters.

(c) **LIMITATION.**—

(1) **IN GENERAL.**—Notwithstanding subsection (b), Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) **EXCEPTION.**—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(d) **FLEET CONSOLIDATION.**—In acquiring technological assets under subsection (b), the Commissioner of U.S. Customs and Border Protection shall, to the greatest extent practicable, implement a plan for streamlining the fleet of aircraft, helicopters, aerostats, and unmanned aerial vehicles of U.S. Customs and Border Protection to generate savings in maintenance costs and training costs for pilots and other personnel needed to operate the assets.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

SA 1276. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 898, after line 22, insert the following:

(e) **TECHNOLOGY AND EQUIPMENT.**—

(1) **IN GENERAL.**—To help facilitate cross border traffic and provide increased situational awareness of inbound and outbound trade and travel, the Commissioner of U.S. Customs and Border Protection shall deploy a variety of fixed and mobile technologies, in addition to the technologies in use as of the date of enactment of this Act, at ports of entry, including—

(A) hand-held biometric and document readers;

(B) license plate readers;

(C) radio frequency identification documents and readers;

(D) interoperable communication devices;

(E) nonintrusive scanning equipment; and

(F) document scanning kiosks.

(2) **REQUIREMENTS.**—In carrying out paragraph (1), the Commissioner of U.S. Customs and Border Protection shall—

(A) consult with officers and agents in the field;

(B) use, to the maximum extent practicable, commercial off the shelf technology; and

(C) prioritize the deployment of such technology based on the needs of each port of entry.

(3) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall submit to the appropriate Congressional committees a report on the deployment of technology under paragraph (1), including expenditures made and any measurable gains in increased security and trade and travel efficiency for each technology.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—The Secretary, acting through the Commissioner of U.S. Customs and Border Protection, may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1277. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 857, lines 1 and 2, strike “is substantially deployed and substantially operational” and insert “is 100 percent deployed and 100 percent operational”.

SA 1278. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **WHISTLEBLOWER PROTECTIONS.**

(a) **IN GENERAL.**—Section 214(c) (8 U.S.C. 1184(c)) is amended by adding at the end the following:

“(15) **WHISTLEBLOWER PROTECTIONS.**—

“(A) **PROHIBITIONS.**—A person may not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because such employee—

“(i) has filed or is about to file a complaint, instituted or caused to be instituted any proceeding, testified, assisted, or will testify, or cooperated or seeks to cooperate, in an investigation or other proceeding concerning compliance with the requirements under this title or any rule or regulation pertaining to this title or any covered claim;

“(ii) has disclosed or is about to disclose information to the person or to any other person or entity, that the employee reasonably believes evidences a violation of this title or any rule or regulation pertaining to this title, or grounds for any covered claim;

“(iii) has assisted or participated, or is about to assist or participate, in any manner in a proceeding or in any other action to carry out the purposes of this title or any covered claim;

“(iv) furnished, or is about to furnish, information to the Department of Labor, the Department of Homeland Security, the Department of Justice, or any Federal, State, or local regulatory or law enforcement agency relating to a violation of this title or any covered claim; or

“(v) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act or any other Act, or any order, rule, regulation, standard, or ban under any Act.

“(B) **ENFORCEMENT.**—

“(i) **IN GENERAL.**—An employee who believes that he or she has suffered a violation of subparagraph (A) may seek relief in accordance with the procedures, notifications, burdens of proof, remedies, and statutes of limitation set forth in section 1514A of title 18, United States Code.

“(ii) **APPEAL.**—

“(I) **JURISDICTION.**—Any person adversely affected or aggrieved by an order issued under clause (i) may obtain review of the order in the United States Court of Appeals for—

“(aa) the circuit in which the violation, with respect to which the order was issued, allegedly occurred; or

“(bb) the circuit in which the complainant resided on the date of such violation.

“(II) **FILING DEADLINE.**—A petition for review under this subparagraph shall be filed not later than 60 days after the date on which the final order was issued by the Secretary of Labor.

“(III) **APPLICABLE LAW.**—A review under this subparagraph shall conform to the provisions set forth in chapter 7 of title 5, United States Code.

“(IV) **STAY OF ORDER.**—Unless ordered by the court, the commencement of proceedings under this subparagraph shall not operate as a stay of the order by the Secretary of Labor.

“(C) **EDUCATION.**—Each person, entity, and institution covered by this Act shall—

“(i) prominently communicate to all sectors and ranks of its labor force the rights and responsibilities under this Act; and

“(ii) provide associated education and training to all sectors and ranks of its labor force through notifications, postings, mailings, and training classes, supplemented with publicly accessible online materials on the requirements of, and developments that would affect the implementation of this Act.

“(D) **NO LIMITATION ON RIGHTS.**—Nothing in this paragraph may be construed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, eq-

uity, or under any collective bargaining agreement. The rights and remedies set forth in this paragraph may not be waived by any agreement, policy, form, or condition of employment.

“(E) **DEFINITIONS.**—In this paragraph:

“(i) **COVERED CLAIM.**—The term ‘covered claim’ means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal or State labor or employment laws.

“(ii) **DISCLOSE.**—The term ‘disclose’ means to make a formal or informal communication or transmission.

“(iii) **EMPLOYEE.**—The term ‘employee’ means—

“(I) a current or former nonimmigrant alien admitted pursuant to section 101(a)(15)(H)(ii)(B); or

“(II) persons performing or formerly performing substantially the same work as such nonimmigrants in a related workplace.”.

(b) **RULEMAKING.**—Not later than 180 days after the date of the enactment of this Act, and after an opportunity for notice and comment, the Secretary of Labor shall promulgate regulations to carry out the amendment made by subsection (a).

SA 1279. Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID of NV to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising freedom of the press, assembly, association, and expression;

(C) lifting legislative restrictions on freedom of the press, assembly, association, and expression; and

(D) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election; and

(8) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the rights and freedoms of the people of Iran, including to democratic self-government;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

SA 1280. Mr. REID (for Mr. HOEVEN) submitted an amendment intended to be proposed by Mr. REID of NV to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes; as follows:

Strike the preamble and insert the following:

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election under house arrest;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Guardian Council and the Supreme Leader of Iran have blocked numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

SA 1281. Mr. REID (for Mr. HOEVEN) proposed an amendment to the resolution S. Res. 154, calling for free and fair elections in Iran, and for other purposes; as follows:

Amend the title so as to read: "Calling for free and fair elections in Iran, and for other purposes."

SA 1282. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 979, strike line 23 and all that follows through page 980, line 5 and insert the following:

"(3) INELIGIBILITY FOR PUBLIC BENEFITS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), an alien who has been granted registered provisional immigrant status under this section is not eligible for any Federal means-tested public benefit (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

"(B) EXCEPTION.—Any noncitizen who, after 6 years in registered provisional immigrant status, satisfies the terms and conditions for renewing such status and who, after having been lawfully present in the United States for at least 10 years, satisfies the terms and conditions for adjusting to lawful permanent residence, and who obtains lawful permanent resident status, shall be deemed to be a qualified alien and to have satisfied the 5-year waiting period for purposes of section 402(a)(2)(L) and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(L) and 1613)."

"(C) APPLICATION.—This paragraph shall not apply until after the Secretary of State certifies that immigrant visas have become available for all approved petitions for immigrant visas that were filed under sections 201 and 203 before the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

On page 1060, strike lines 11 through 16, and insert the following:

(3) INELIGIBILITY FOR PUBLIC BENEFITS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an alien who has been granted blue card status is not eligible for any Federal means-tested public benefit (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

(B) EXCEPTION.—Any noncitizen who has maintained blue card status for at least 5 years, who satisfies the conditions for adjusting to lawful permanent residence, and who obtains lawful permanent resident status, shall be deemed to be a qualified alien and to have satisfied the 5-year waiting period for purposes of section 402(a)(2)(L) and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(L) and 1613).

SA 1283. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

TITLE V—JOBS FOR YOUTH

SEC. 5101. DEFINITIONS.

In this title:

(1) CHIEF ELECTED OFFICIAL.—The term "chief elected official" means the chief elected executive officer of a unit of local government in a local workforce investment area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) LOCAL WORKFORCE INVESTMENT AREA.—The term "local workforce investment area" means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(3) LOCAL WORKFORCE INVESTMENT BOARD.—The term "local workforce investment board" means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(4) LOW-INCOME YOUTH.—The term "low-income youth" means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that States and local workforce investment areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 5103; and

(C) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(5) POVERTY LINE.—The term "poverty line" means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) STATE.—The term "State" means each of the several States of the United States, and the District of Columbia.

SEC. 5102. ESTABLISHMENT OF YOUTH JOBS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Youth Jobs Fund (referred to in this title as "the Fund").

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated \$1,500,000,000 for fiscal year 2014, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) AVAILABILITY OF FUNDS.—Of the amounts deposited into the Fund under subsection (b), the Secretary of Labor shall allocate \$1,500,000,000 to provide summer and year-round employment opportunities to low-income youth in accordance with section 5103.

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor until December 31, 2014, and shall be available for expenditure by grantees (including subgrantees) until September 30, 2015.

SEC. 5103. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 5102(c), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a "State plan modification") (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C.

2911(c)) (referred to in this section as a “Native American grantee”) that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a “local plan modification”), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallocation and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2911 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to $\frac{1}{2}$ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) one-half on the basis of the relative number of young unemployed individuals in areas of substantial youth unemployment in each State, compared to the total number of young unemployed individuals in areas of substantial youth unemployment in all States; and

(ii) one-half on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (2) shall be allocated to States that receive approval of State plan modifications or requests specified in the guidance. Each such State shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the State’s share of the total amount allotted under paragraph (2) to such State.

(4) DEFINITIONS.—For purposes of paragraph (2):

(A) AREA OF SUBSTANTIAL YOUTH UNEMPLOYMENT.—The term “area of substantial youth unemployment” means any contiguous area that has a population of at least 10,000, and that has an average rate of unemployment of at least 10 percent, among individuals who are not younger than 16 but are younger than 25, for the most recent 12 months, as determined by the Secretary of Labor.

(B) DISADVANTAGED YOUNG ADULT OR YOUTH.—The term “disadvantaged young adult or youth” means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(i) the poverty line; or

(ii) 70 percent of the lower living standard income level.

(C) YOUNG UNEMPLOYED INDIVIDUAL.—The term “young unemployed individual” means an individual who is not younger than 16 but is younger than 25.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 5101(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 5104(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 5104(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other

State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) within 30 days after submission, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with clauses (i) and (ii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area involved, shall submit to the Governor a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan, the amount the local workforce investment area would have

been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certification or credential (referred to in this title as an “industry-recognized credential”).

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local workforce investment area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 5104(b)(5).

SEC. 5104. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants (including recipients of subgrants) under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for low-income youth participating in summer employment activities under section 5103, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist;

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment; and

(B) for low-income youth participating in year-round employment activities under section 5103, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

SEC. 5105. VISA SURCHARGE.

(a) COLLECTION.—

(1) IN GENERAL.—Subject to paragraph (2), and in addition to any fees otherwise imposed for such visas, the Secretary shall collect a surcharge of \$10 from an employer that submits an application for—

(A) an employment-based visa under paragraph (3), (4), (5), or (6) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); and

(B) a nonimmigrant visa under subparagraph (C), (H)(i)(b), (H)(i)(c), (H)(ii)(a), (H)(ii)(B), (O), (P), (R), or (W) of section 101(a)(15) of such Act (8 U.S.C. 1101(a)(15)).

(2) EXPIRATION.—The Secretary shall suspend the collection of the surcharge authorized under paragraph (1) on the date on which the Secretary has collected a cumulative total of \$1,500,000,000 under this subsection.

(b) DEPOSIT.—All of the amounts collected under subsection (a)(1) shall be deposited in the general fund of the Treasury.

SA 1284. Mr. SANDERS (for himself, Mr. GRASSLEY, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. EMPLOY AMERICA.

(a) SHORT TITLE.—This section may be cited as the “Employ America Act”.

(b) CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—The Secretary may not approve a petition by an employer for any visa authorizing employment in the United States unless the employer has provided written certification, under penalty of perjury, to the Secretary of Labor that—

(A) the employer has not provided a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) during the 12-month period immediately preceding the date on which the alien is scheduled to be hired; and

(B) the employer does not intend to provide a notice of a mass layoff pursuant to such Act.

(2) EFFECT OF MASS LAYOFF.—If an employer provides a notice of a mass layoff pursuant to the Worker Adjustment and Retraining Notification Act after the approval of a visa described in paragraph (1), any visas approved during the most recent 12-month period for such employer shall expire on the date that is 60 days after the date on which such notice is provided. The expiration of a visa under this paragraph shall not be subject to judicial review.

(3) NOTICE REQUIREMENT.—Upon receiving notification of a mass layoff from an employer, the Secretary shall inform each employee whose visa is scheduled to expire under paragraph (2)—

(A) the date on which such individual will no longer be authorized to work in the United States; and

(B) the date on which such individual will be required to leave the United States unless the individual is otherwise authorized to remain in the United States.

(4) EXEMPTION.—An employer shall be exempt from the requirements under this subsection if the employer provides written certification, under penalty of perjury, to the Secretary of Labor that the total number of the employer's workers who are United States citizens and are working in the United States have not been, and will not be, reduced as a result of a mass layoff described in paragraph (2).

(c) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Labor shall promulgate regulations to carry out this section, including a requirement that employers provide notice to the Secretary of a mass layoff (as defined in section 2 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101)).

SA 1285. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1341, line 2, insert “The Commissioner, in consultation with the Secretary, shall establish alternative procedures for updating or correcting records maintained by the Commissioner for the purposes of verifying the individual's identity and employment eligibility if the individual resides more than 150 highway miles from the nearest office of the Social Security Administration or in a location that is inaccessible by road from the nearest office of the Social Security Administration.” after “eligibility.”.

SA 1286. Mr. CARDIN (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —RESOURCES FOR HOLOCAUST SURVIVORS**Subtitle A—Responding to the Needs of Holocaust Survivors****PART I—DEFINITION, GRANTS, AND OTHER PROGRAMS****SEC. 01. DEFINITION.**

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

- (1) in paragraph (24)—
 - (A) in subparagraph (B), by striking “and”;
 - (B) in subparagraph (C)(ii), by striking the period at the end and inserting “; and”; and
 - (C) by adding at the end the following:
 - “(D) status as a Holocaust survivor.”;
 - (2) by redesignating paragraphs (26) through (54) as paragraphs (27) through (55); and
 - (3) by inserting after paragraph (25) the following:
 - “(26) The term ‘Holocaust survivor’ means an individual who—
 - “(A)(i) lived in a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators; or
 - “(ii) fled from a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators;
 - “(B) was persecuted between 1933 and 1945 on the basis of race, religion, physical or mental disability, sexual orientation, political affiliation, ethnicity, or other basis; and
 - “(C) was a member of a group that was persecuted by the Nazis.”.

“(26) The term ‘Holocaust survivor’ means an individual who—

“(A)(i) lived in a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators; or

“(ii) fled from a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators;

“(B) was persecuted between 1933 and 1945 on the basis of race, religion, physical or mental disability, sexual orientation, political affiliation, ethnicity, or other basis; and

“(C) was a member of a group that was persecuted by the Nazis.”.

SEC. 02. ORGANIZATION.

Section 305(a) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)) is amended—

- (1) in paragraph (1)(E), by inserting “older individuals who are Holocaust survivors,” after “proficiency,” each place it appears; and
- (2) in paragraph (2)(E), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”.

“(2) in paragraph (2)(E), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”.

SEC. 03. AREA PLANS.

Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

- (1) in subsection (a)—
 - (A) in paragraph (1), by inserting “older individuals who are Holocaust survivors,” after “proficiency,” each place it appears;
 - (B) in paragraph (4)—
 - (i) in subparagraph (A)—
 - (I) in clause (i)(I)(bb), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”; and
 - (II) in clause (ii), by inserting “older individuals who are Holocaust survivors,” after “proficiency,” each place it appears;
 - (ii) in subparagraph (B)(i)—
 - (I) in subclause (VI), by striking “and” at the end; and
 - (II) by inserting after subclause (VII) the following:
 - “(VIII) older individuals who are Holocaust survivors; and”;
 - (iii) in subparagraph (B)(ii), by striking “subclauses (I) through (VI)” and inserting “subclauses (I) through (VIII)”;
 - (C) in paragraph (7)(B)(iii), by inserting “, in particular, older individuals who are Holocaust survivors,” after “placement”;
 - (2) in subsection (b)(2)(B), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

“(VIII) older individuals who are Holocaust survivors; and”;

“(iii) in subparagraph (B)(ii), by striking “subclauses (I) through (VI)” and inserting “subclauses (I) through (VIII)”;

“(C) in paragraph (7)(B)(iii), by inserting “, in particular, older individuals who are Holocaust survivors,” after “placement”;

“(2) in subsection (b)(2)(B), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

“(iii) in subparagraph (B)(ii), by striking “subclauses (I) through (VI)” and inserting “subclauses (I) through (VIII)”;

“(C) in paragraph (7)(B)(iii), by inserting “, in particular, older individuals who are Holocaust survivors,” after “placement”;

“(2) in subsection (b)(2)(B), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

SEC. 04. STATE PLANS.

Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

- (1) in paragraph (4), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”;
- (2) in paragraph (16)—
 - (A) in subparagraph (A)—
 - (i) in clause (v), by striking “and” at the end; and
 - (ii) by adding at the end the following:
 - “(vii) older individuals who are Holocaust survivors; and”;
 - (B) in subparagraph (C)(ii), by striking the period at the end and inserting “; and”; and
 - (C) by adding at the end the following:
 - “(D) status as a Holocaust survivor.”;
 - (2) by redesignating paragraphs (26) through (54) as paragraphs (27) through (55); and
 - (3) by inserting after paragraph (25) the following:
 - “(26) The term ‘Holocaust survivor’ means an individual who—
 - “(A)(i) lived in a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators; or
 - “(ii) fled from a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators;
 - “(B) was persecuted between 1933 and 1945 on the basis of race, religion, physical or mental disability, sexual orientation, political affiliation, ethnicity, or other basis; and
 - “(C) was a member of a group that was persecuted by the Nazis.”.

“(vii) older individuals who are Holocaust survivors; and”;

(B) in subparagraph (C)(ii), by striking “clauses (i) through (vi)” and inserting “clauses (i) through (vii)”;

(3) in paragraph (28)(B)(ii), by inserting “older individuals who are Holocaust survivors,” after “areas.”.

SEC. 05. CONSUMER CONTRIBUTIONS.

Section 315 of the Older Americans Act of 1965 (42 U.S.C. 3030c-2) is amended—

- (1) in subsection (c)(2), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”; and
- (2) in subsection (d), by inserting “older individuals who are Holocaust survivors,” after “proficiency.”.

SEC. 06. PROGRAM AUTHORIZED.

Section 373(c)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3030s-1(c)(2)(A)) is amended by striking “individuals)” and inserting “individuals and older individuals who are Holocaust survivors)”.

SEC. 07. PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.

Section 721(b)(12) of the Older Americans Act of 1965 (42 U.S.C. 3058i(b)(12)) is amended—

- (1) in subparagraph (B), by striking “or” at the end;
- (2) in subparagraph (C), by striking the period at the end and inserting “; or”;
- (3) by adding at the end the following:
 - “(D) older individuals who are Holocaust survivors.”.

PART II—FUNCTIONS WITHIN ADMINISTRATION FOR COMMUNITY LIVING TO ASSIST HOLOCAUST SURVIVORS**SEC. 11. DESIGNATION OF INDIVIDUAL WITHIN THE ADMINISTRATION.**

The Administrator for Community Living is authorized to designate within the Administration for Community Living a person who has specialized training, background, or experience with Holocaust survivor issues to have responsibility for implementing services for older individuals who are Holocaust survivors.

SEC. 12. ANNUAL REPORT TO CONGRESS.

The Administrator for Community Living, with assistance from the individual designated under section 111, shall prepare and submit to Congress an annual report on the status and needs, including the priority areas of concern, of older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) who are Holocaust survivors.

Subtitle B—Nutrition Services for All Older Individuals**SEC. 21. NUTRITION SERVICES.**

(a) IN GENERAL.—Section 339(2) of the Older Americans Act of 1965 (42 U.S.C. 3030g-21(2)) is amended—

- (1) in subparagraph (A), by amending clause (iii) to read as follows:
 - “(iii) to the maximum extent practicable, are adjusted and appropriately funded to meet any special health-related or other dietary needs of program participants, including needs based on religious, cultural, or ethnic requirements.”;
- (2) in subparagraph (J), by striking “, and” and inserting a comma;
- (3) in subparagraph (K), by striking the period and inserting “, and”;
- (4) by adding at the end the following:
 - “(L) encourages and educates individuals who distribute nutrition services under subpart 2 to engage in conversation with homebound older individuals and to be aware of the warning signs of medical emergencies, injury or abuse in order to reduce isolation and promote well-being.”.

“(iii) to the maximum extent practicable, are adjusted and appropriately funded to meet any special health-related or other dietary needs of program participants, including needs based on religious, cultural, or ethnic requirements.”;

(2) in subparagraph (J), by striking “, and” and inserting a comma;

(3) in subparagraph (K), by striking the period and inserting “, and”;

(4) by adding at the end the following:

“(L) encourages and educates individuals who distribute nutrition services under subpart 2 to engage in conversation with homebound older individuals and to be aware of the warning signs of medical emergencies, injury or abuse in order to reduce isolation and promote well-being.”.

(b) STUDY OF NUTRITION PROJECTS.—Section 317(a)(2) of the Older Americans Act Amendments of 2006 (Public Law 109-365) is amended—

(1) in subparagraph (B), by striking “; and” and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(D) an analysis of service providers’ abilities to obtain viable contracts for special foods necessary to meet a religious requirement, required dietary need, or ethnic consideration.”.

Subtitle C—Transportation**SEC. 31. TRANSPORTATION SERVICES AND RESOURCES.**

Section 411(a) of the Older Americans Act of 1965 (42 U.S.C. 3032(a)) is amended—

- (1) by redesignating paragraph (13) as paragraph (14);
- (2) in paragraph (12), by striking “; and” and inserting a semicolon; and
- (3) by inserting after paragraph (12) the following:
 - “(13) supporting programs that enable the mobility and self-sufficiency of older individuals with the greatest economic need and older individuals with the greatest social need by providing transportation services and resources; and”.

(2) in paragraph (12), by striking “; and” and inserting a semicolon; and

(3) by inserting after paragraph (12) the following:

“(13) supporting programs that enable the mobility and self-sufficiency of older individuals with the greatest economic need and older individuals with the greatest social need by providing transportation services and resources; and”.

NOTICE OF HEARING**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, June 25, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on the challenges and opportunities for improving forest management on Federal lands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to John_Assini@energy.senate.gov.

For further information, please contact Michele Miranda at (202) 224-7556 or John Assini at (202) 224-9313.

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON ARMED SERVICES**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 13, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN AFFAIRS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 13, 2013, at 10 a.m., to hold a International Operations and Organizations, Human Rights, Democracy and Global Women's Issues & European Affairs joint subcommittee hearing entitled, “A Dangerous Slide Backwards: Russia's Deteriorating Human Rights Situation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 13, 2013, at 10:30 a.m., in S-216 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 13, 2013, at 10 a.m. in room 428A Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 13, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION,
AND COMMUNITY DEVELOPMENT

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on June 13, 2013, at 10 a.m., to conduct a hearing entitled "Lessons Learned From the Financial Crisis Regarding Community Banks."

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—
EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Monday, June 17, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 48 and 62; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; 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; that any related statements be printed in the RECORD; that 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.

SUPPORTING POLITICAL REFORM
IN IRAN

Mr. REID. I ask unanimous consent the Foreign Relations Committee be

discharged from further consideration of and the Senate now proceed to S. Res. 154.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 154) supporting political reform in Iran and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the Hoeven substitute amendment be agreed to; the resolution, as amended, be agreed to; the preamble, as amended, be agreed to; the title amendment be agreed to; and the motions to reconsider be considered made and laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 1279, 1280, and 1281) were agreed to, as follows:

AMENDMENT NO. 1279

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: "That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising freedom of the press, assembly, association, and expression;

(C) lifting legislative restrictions on freedom of the press, assembly, association, and expression; and

(D) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election; and

(8) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the rights and freedoms of the people of Iran, including to democratic self-government;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

AMENDMENT NO. 1280

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election under house arrest;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Guardian Council and the Supreme Leader of Iran have blocked numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

AMENDMENT NO. 1281

(Purpose: To amend the title)

Amend the title so as to read: "Calling for free and fair elections in Iran, and for other purposes."

The resolution (S. Res. 154), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, and its title, as amended, is as follows:

S. RES. 154

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election under house arrest;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Guardian Council and the Supreme Leader of Iran have blocked numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

Resolved, That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising freedom of the press, assembly, association, and expression;

(C) lifting legislative restrictions on freedom of the press, assembly, association, and expression; and

(D) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election; and

(8) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the rights and freedoms of the people of Iran, including to democratic self-government;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

WORLD ELDER AWARENESS ABUSE DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 171, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 171) designating June 15, 2013, "World Elder Abuse Awareness Day."

There being no objection, the Senate proceeded to consider the resolution.

WORLD ELDER ABUSE AWARENESS DAY

Mr. NELSON. Mr. President, today I rise in recognition of June 15 as World Elder Abuse Awareness Day. This Saturday will be the eighth commemoration since the day was first established in 2006. By observing World Elder Abuse Awareness Day, we are joining organizations around the world to raise awareness and support existing efforts to combat the serious problem of elder abuse in all forms.

Every year, millions of older Americans are abused, neglected, or exploited, with an estimated 84 percent of these cases going unreported. This problem is particularly relevant for my constituents in the great State of Florida, which has the highest proportion of individuals over age 65 in the United States. As chairman of the Special Committee on Aging, I will shine a spotlight on this issue and work with my colleagues to eradicate and hold ac-

countable those that would take advantage of our seniors.

I am proud of the State of Florida's leadership to raise awareness about World Elder Abuse Awareness Day. For example, the Seminole County Triad—a collaborative of local law enforcement, public safety, and senior organizations in Seminole County, FL—will host its eighth annual World Elder Abuse Awareness Day symposium. The focus this year will be on Alzheimer's, an area the Aging Committee has and will continue to work on as this session of Congress continues.

The University of Miami Health System Center on Aging will host a webcast on financial exploitation and its impact on the health of older adults. This webcast, along with similar informational events being held throughout our country and the world, provide essential information for professionals who work with seniors.

Our 11 area agencies on aging are on the frontlines of helping older Floridians. They share a common information and referral system, making access to services faster and more efficient. By calling 1-800-96-ELDER, individuals receive advice and information on a range of issues, including health care, housing, nutrition, abuse prevention, and other social programs. One of these agencies, Elder Options, recently moved to a new location in Gainesville, allowing them to better provide vital services to seniors living in 16 different counties in the mid-Florida region.

Florida is also home to the Elder Rights Center of Excellence at the Palm Beach-Treasure Coast Area Agency on Aging. Led by director Mary Jones, the Elder Rights Center conducted 24 trainings for over 670 different professions, provided over 3,100 hours of service, and assisted over 4,400 senior crime victims last year in Palm Beach County. It also has a staffer dedicated to working solely on financial abuse.

I am proud of these events, and all those events that will be held this year that aim to protect our seniors from harm. World Elder Abuse Awareness Day is not only a time to recognize and support these efforts but also to critically examine what further steps can be taken. As Chairman of the Senate Special Committee on Aging, I will continue to work on eradicating elder abuse as one of many issues that are critical to ensure the health and economic security of older Americans.

In honor of the many advocates working tirelessly to combat elder abuse throughout the United States and the world, I am pleased to recognize June 15 as World Elder Abuse Awareness Day.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. 171) was agreed to.
The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. REID. Mr. President, I apologize to everyone for having to wait. We were trying to get some things cleared, and it didn't work.

ORDERS FOR MONDAY, JUNE 17, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, June 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate proceed to executive session under the previous order; finally, that when the Senate resumes legislative session following the vote on the Gonzales nomination, the Senate resume consideration of S. 744, the immigration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be at 5:30 p.m. on Monday.

ADJOURNMENT UNTIL MONDAY, JUNE 17, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Monday, June 17, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

MORRIS K. UDALL AND STEWART L. UDALL
FOUNDATION

MARK THOMAS NETHERY, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2018, VICE ERIC D. EBERHARD, TERM EXPIRED.

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING MAY 26, 2019, VICE ROBERT BOLDREY, TERM EXPIRED.

LEGAL SERVICES CORPORATION

JOHN GERSON LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (RE-APPOINTMENT)

DEPARTMENT OF STATE

SAMANTHA POWER, OF MASSACHUSETTS, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA

TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

SAMANTHA POWER, OF MASSACHUSETTS, 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 REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

STEPHANIE SANDERS SULLIVAN, 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 THE CONGO.

JOSEPH Y. YUN, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 13, 2013:

THE JUDICIARY

NITZA I. QUINONES ALEJANDRO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

JEFFREY L. SCHMEHL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 13, 2013 withdrawing from further Senate consideration the following nomination:

AVRIL D. HAINES, OF NEW YORK, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE HAROLD HONGJU KOH, RESIGNED, WHICH WAS SENT TO THE SENATE ON APRIL 18, 2013.