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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Lord God, You are infinite, unchangeable, and holy. Thank You for this day and the opportunities to be stewards of Your love, grace, and compassion. Use our Senators to respond to the needs in our world, infusing them with a willingness to do Your will. Invade their hearts and minds with Your peace as they envision Your plans and purposes. Lord, give them power to handle the pressures, light for their path, and patience for their challenges. Let Your wisdom guide them, Your hand guard them, and Your shield protect them.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY 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.

SCHEDULE

Mr. REID. Mr. President, I am going to have to get used to the President pro tempore presiding over the Senate. That is not the script we have followed for quite a few years. I am very happy to see him here, as usual.

Following leader remarks, the Senate will be in a period of morning business until 5 p.m. Following morning business, the Senate will resume consider-

ation of the motion to proceed to S. 47, the Violence Against Women Act. At 5:30, the Senate will vote on the motion to proceed to the bill.

MEASURES PLACED ON THE CALENDAR—S. 201 and S. 204

Mr. REID. Mr. President, there are two bills at the desk due for a second reading.

The PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 201) to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M-1 tanks, or certain other defense articles or services to the Government of Egypt.

A bill (S. 204) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. Mr. President, with these two bills, I would object to any further proceedings.

The PRESIDENT pro tempore. Objection is heard. The measures will be placed on the calendar.

VIOLENCE AGAINST WOMEN ACT

Mr. REID. Mr. President, in the two decades since the Violence Against Women Act passed—it passed with a very strong vote, a bipartisan vote here in the Senate, and then in the House at the time—incidents of domestic violence have fallen by more than half, by as much as 53 percent. The law has helped millions of women and children escape their attackers and get the justice they deserve. It is a landmark piece of legislation. That is why Congress twice reauthorized this legislation without a hint of controversy or a moment of delay.

But despite the overwhelming evidence this legislation saves lives and protects women, House Republicans used every procedural trick known to

Congress to block its reauthorization last Congress. Despite strong bipartisan support here in the Senate, Republicans in the House refused to join the effort to renew our national commitment to ending domestic violence.

Allowing partisan delays to put women's lives at risk is simply shameful. If House Republicans believe domestic violence is no longer a problem in this country, they are wrong. Every day three women in America die at the hands of their abusers. Every day many women escape with their lives but with the physical and emotional scars of the abuse that exists.

More than one-third of women in this country have been victims of violence, sexual assault, or stalking by a partner—one-third of the women in this country have been victims of violence, sexual assault, or stalking by a partner. It is in our power to help, and it is unthinkable that Republicans in the House would prevent us from taking action and again refuse to do anything, as they did last Congress.

Victims of violence and law enforcement officials who support them have already waited too long for Congress to act. This week, the Senate will pass a strong bipartisan reauthorization of the Violence Against Women Act. This is something that was put forward by the chairman of that committee, the Judiciary Committee, Senator LEAHY. He has worked hard on it. He did everything possible last Congress to get this done. Because of the House's intransigence, they refused to do anything in spite of his work.

I thank Chairman LEAHY, Senator MURRAY, and the women of the Senate for their leadership on this issue. I am pleased so many of my Senate colleagues have expressed support for swift action on this legislation, and especially so many Senate Republicans have supported this legislation. The Senate will not allow women to be denied the protection they need and deserve.

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



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We must ensure law enforcement has the means to stop these horrible crimes. We must guarantee communities have the resources to support victims regardless of sexual orientation, immigration status, or where they live, as they heal. Every victim of domestic violence deserves the same vigorous protections under the law. Because of the unique nature of the crime, combating domestic violence and protecting those affected also requires unique tools. Reauthorizing this act would help law enforcement continue to develop effective strategies to prosecute cases involving violent crimes against women. It would provide funding for shelters and transitional housing programs for victims of domestic violence and sexual assault and help victims become independent. It would make legal assistance available to victims of violence and safeguard children and youth affected by dating violence and stalking.

Although the Violence Against Women Act expired in 2011, many of the programs established under the law have been funded by continuing resolutions. But not everything. A full reauthorization of this law is necessary to ensure authorities have all the resources they need to fight domestic violence. So I hope the Senate's bipartisan action this week will send a strong message to House Republican leaders that further partisan delay is unacceptable.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. MURPHY). The Republican leader is recognized.

SPENDING CONTROL

Mr. MCCONNELL. Mr. President, the American people are deeply unhappy with the way Washington operates these days. They are tired of people telling them what they want to hear instead of what they need to hear. They are tired of all of the political games and gimmicks that substitute for real action on the problems we face as a Nation. Given what we have seen from the White House and Congressional Democrats, frankly, it is hard to blame them. As I have said repeatedly in recent weeks, we need to find a way to control runaway Federal spending and debt. We need to do it quickly. This is absolutely essential if we are to avoid a European-style catastrophe. It is what we need to do if we are serious about removing government obstacles that stand in the way of a robust recovery and new jobs.

Reducing the debt will throw off a wet blanket that has been weighing on our economy for entirely too long. This is a serious challenge. It demands serious spending reforms from both parties here in Washington. Yet if you were to listen to the Democrats, you would think all of our ills could be solved by

raising taxes on private jets or energy companies.

These are not real solutions. They are poll-tested gimmicks. Just take the tax hike on so-called corporate jets. It would not raise enough revenue to offset more than 1 week—1 week—of the decade-long sequester—1 week. Of course, anytime you have a tax hike, there are going to be negative repercussions for growth and jobs. We do not have to look too far into the past to see how disruptive those consequences can be. In 1990, Washington politicians tried to enact a "luxury tax" on just about everything you could associate with the upper class, including yachts and aircraft. It was a total failure. Not only was it linked to the destruction of literally thousands of jobs in the boating industry, but, according to one study, the government actually—listen to this—spent more in unemployment benefits and in lost taxes than it was able to raise through the luxury tax itself. In other words, while the tax may have seemed to serve as a useful wedge issue for Democratic politicians, it made just about everyone worse off than they were before it passed. Workers, consumers, taxpayers, and the government were all worse off. That is why a number of Members of today's Senate Democratic caucus voted to repeal that particular tax a few years later in 1993. They even agreed to send refund checks to some of those impacted by it.

So why are they proposing to go down this same sorry road one more time? Well, in a variation of the old saying, you can conclude that they do not want the facts to get in the way of a good political talking point.

But the larger point is this: The challenge we face right now is the fact that government spending is completely and totally out of control. So to focus on a tax of any kind is to miss the point entirely. The amount of revenue we bring in as a percentage of GDP is set to return to the historical average of the past few decades. Spending, on the other hand, is way above historic norms, and spending is projected to actually get much worse in the years to come; that is, unless we do something about it today.

The American people elected a divided government. They expect it to work. That means both parties need to engage and offer serious solutions. Proposing a return to failed tax gimmicks of the past is not by any measure a serious solution. If White House officials want to replace the same sequester they themselves proposed in 2011, it is their responsibility to lay out what concrete spending cuts they would be willing to consider as potential offsets, as House Republicans already have. If they do, then we Republicans are happy to hear them out and to work collaboratively on effective reforms. But if this is just another opportunity to trot out the Democrats' focus-group-approved policy stunt, if this is another fake fight designed by the White

House to push us to the brink, then Republicans are not interested in playing along. We are going to keep fighting for real spending reform, because that is what the American people expect us to do.

Every day spent talking about corporate jets is a day wasted. Given that the President again missed the deadline to submit a budget on time this year, there is not much time to spare. The clock is ticking. It is past time to get serious.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. 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. ROBERTS. I ask unanimous consent that the quorum call be rescinded.

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

Mr. ROBERTS. I ask unanimous consent that I be recognized to proceed as in morning business.

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

REMEMBERING ADELE HALL

Mr. ROBERTS. Mr. President, I rise to pay tribute to a most remarkable woman. In just a few hours, a celebration of life service will be held at St. Andrew's Church in Kansas City for Adele Hall, described by the Kansas City Star in a front-page headline as "first lady" of Kansas City.

Adele was in Hawaii with her husband Don Hall, chairman of Hallmark Cards, when she passed away. To say they were a remarkable couple is an understatement. They met when she was 3 years old and Don was 6. Adele said: I don't ever remember falling in love with Don. I just grew up being in love with him.

As the Star reported, her priorities were always with her husband and her three children. In addition to her love and caring for her family, Adele Hall had a unique ability to lead, and lead she did. Living a life of caring and contribution, making a difference and demonstrating to all whose lives she touched and made better, she was a wonderful example of honor and respect.

Adele's many accomplishments were almost legendary. She would demure from that description with her wonderful smile and give credit to others. It

was how she accomplished so much that serves as such a wonderful example and why she was so beloved.

The friends of Don and Adele and those with whom she worked describe her best. Henry Bloch, the founder of H&R Block and a lifelong friend, said:

If there ever was a first lady of Kansas City, it was Adele. She was honored and respected by everybody. It's a major loss for this community.

Irv Hockaday, a former CEO of Hallmark and a friend of Adele and Don's for close to 50 years, said:

She was like a magnetic sun . . . whose constant warmth and magnetism just had a pull. And people gravitated to her. To me, her most compelling quality, of many, was her empathy.

They say that no one is indispensable. That's true in a way. But she comes about as close to being someone we can never, ever forget or replicate.

Irv Hockaday certainly captured Adele, as did Steven Doyal, spokesman for Hallmark Cards:

We lost a great human being. Her greatest passion was in the area of children. She believed passionately in the potential of every child.

At Children's Mercy Hospital, Adele moved easily from rocking sick babies in the nursery to running board meetings and leading multimillion-dollar fundraising campaigns. One of the best known was with Tom Watson, with whom she established the Children's Mercy Golf Classic.

Jack Ovel, the hospital board chairman, said:

She was quick to give others credit. She was always telling other people, "You are the wind beneath my wings."

Perhaps her most notable collaborative effort was bringing the University of Kansas and Children's Mercy together. Early on she realized what that would mean for residents of Kansas City.

Jim Heeter, president of the Greater City Chamber of Commerce, described the news of Adele's passing, which came in the middle of the monthly chamber board meeting:

The entire room fell into stunned silence when it was announced. She was known and loved by virtually everyone around our board table. We observed a long moment of silence in her honor and her memory.

Mary Shaw "Shawsie" Branton, who was her copartner and close friend in one charitable and/or civic event after another said of Adele:

I have lost a close friend. She touched all our lives. There was an aura around Adele, "How can I help? What can I do? . . . How can I find a solution?"

"This is a great day of sorrow," said Sarah Rowland, chairwoman of the Nelson-Atkins board of trustees.

Jane Chu, CEO of the Kauffman Center for the Performing Arts said:

Everything she did was about inspiring Kansas City residents. She so believed in these projects because she so believed in this city, she cared about making it a great place to live.

One can clearly see by the many comments of Adele's friends and lead-

ers in Kansas City, with regard to their sense of personal loss, expressions of admiration of love and respect for the world of achievements Adele accomplished, there is only one Adele Hall.

In my case, Mr. President, I was on the floor of this body last Monday during a series of votes taking place when a cloakroom attendant gave me a message to call my office immediately. I did, and my chief of staff, Jackie Cottrell, came over to the cloakroom and told me of the news of Adele's untimely passing.

There are certain people in life where you feel you are privileged just to know them—people who make a difference, really nice people who give you a certain sense of awe, people who are really not aware of their special and unique persona. Adele had that certain something—a unique charisma, comprised of a wonderful smile, charm and grace, but also the determination and ability of a leader.

When she came into a room, those present knew things would get done. She always stood ready in friendship and support and love. Unfortunately, given her strength of purpose, she was also the kind of person you might well take for granted.

Jackie and I immediately called Annie Presley, a good friend and companion-in-arms with Adele. Annie and I couldn't say too much during that phone call, but I did blurt out, "Well, it's the end of an era." And it is. Adele, in addition to all of her civic and art works, had tremendous influence, serving as an adviser, a friend, and supporter to Presidents, Governors, Senators, Congressional Members, and city leaders. Annie was right by her side in these endeavors. Her passion for politics made both Kansas and Missouri a better place to live. Her advice, her guidance, and support were invaluable to so many. Don and Adele's Kansas home was the setting for countless benefactor receptions. The list represents a Who's Who in politics, from both Presidents Bush, Senators Bob Dole, Kit Bond, Nancy Kassebaum, and, yes, somebody by the name of PAT ROBERTS.

My friendship with Don and Adele began more than 20 years ago. I admit I was a bit nervous the first time I was invited to their home. I arrived early and Adele warmly greeted me, welcomed me in. Don took me into the study, and after some discussion we all ended up listening to the Andrews Sisters—I don't know why—until we were informed it was time to greet the other guests. I think Don and I would have been there a lot longer if Don had his way. We have been great friends ever since.

Perhaps the highlight of our efforts together was when First Lady Laura Bush came to Kansas, and together we welcomed her to our great State.

Finally, Mr. President, when I talk about Adele's respect and her humility, I am reminded of the story when President Bush came to Wichita on my be-

half. The White House staff and security, God bless them, had names on the floor in the reception room, and those who were greeting the President had to stand on the right name. God knows what would have happened if you didn't stand on the right name.

Adele stood exactly as instructed on her name, without any hesitation. I did not do that. I didn't follow orders quite as well. I met with the President's vehicle and hurriedly told him our special guests were standing at attention at their appropriate spot, which amused the President greatly. The secret, of course, was that Don and Adele often stayed at the White House as guests of both George H.W. Bush and President George W. Bush.

When President Bush came in the room, he asked: Adele, are you standing in the right place?

She replied quickly: Why, Mr. President—George—I will stand wherever you want me to.

That really produced a lot of laughs and prompted a big hug.

Mr. President, today's obligations in the Senate prevent me from attending the celebration of life service, but I am there in spirit. To Don, Don Jr. and Jill, David and Laura, Margaret and Keith, and Adele's nine grandchildren, our thoughts and prayers are with you.

I feel compelled to say if all of the people in the Kansas City area could be in attendance, those who loved Adele or who have benefited from her many endeavors, the numbers would fill Arrowhead Stadium and then some.

Helen Steiner Rice may well have summed up what Adele would be telling us now:

When I must leave you for a little while, please go on bravely with a gallant smile. And, for my sake and in my name, live on and do all things the same. Spend not your life in empty days, but fill each waking hour in useful ways. Reach out your hand in comfort and in cheer, and I, in turn, will comfort you and hold you near.

Mr. President, the heavens are a little brighter now because they have a shining star in Adele Hall.

I yield the floor, and upon careful study 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. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FEDERAL SPENDING

Mr. COATS. Mr. President, I come to the Senate floor today, as I have virtually every day since we have been back in session, to address what is perhaps the most critical question facing this Nation: how to rein in the out-of-control Federal spending that threatens to bankrupt the country and saddle future generations with a burden of

debt that will dramatically reduce the quality of their lives.

Yesterday morning on ABC's "This Week with George Stephanopoulos," Senate Majority Leader REID claimed:

"The American people need to understand that it's not as if we've done nothing for the debt."

I would argue that the American people do understand, but what they disagree with is the majority leader's statement that we have done something to reduce the debt we are accumulating at a record rate. We all know we are spending nearly \$40,000 of taxpayer money per second. We know it has now been 1,377 days since we passed a budget in the Senate or one has even been offered by the Democratic leadership. Our debt continues to accumulate and now stands at nearly \$16.5 trillion, and anybody who looks at the debt clock sees that the numbers are rotating faster than the eye can see. So, no, I don't agree. I don't think we have done much to address our debt. And rather than recognize the real problem of our debt, which is spending, the majority leader talked about the need for yet more taxes and higher revenues.

After all the debate about making the wealthy pay more in order to pay down our debt, the fiscal cliff deal barely changed the Nation's long-term fiscal outlook, particularly if spending continues on its present course.

A report from the Peterson Foundation released this week puts U.S. debt on a track to reach 200 percent of gross domestic product by 2040. Keep in mind that many respected economists—economists without a partisan position to promote, those who have looked at this impartially—have said to us that historically, without exception, once a nation's debt reaches 90 percent of GDP, it becomes very damaging to the economy, and it is something I believe we are now experiencing the early phases of in America. So 200 percent of GDP, if we stay on the present course, will take this country and our economy down, and it will take away our ability to provide the needed and necessary functions of the Federal Government.

The plain fact is that our debt is going to continue to spiral upward until Washington tackles its spending addiction.

The President and some of my colleagues on the other side of the aisle are claiming that in the last few years they have already cut the budget to the bone. These so-called savings they talk about are savings anticipated by drawing down troops in Afghanistan and Iraq that are already set to wind down. So we can't just simply say: Well, we have solved the problem because we are now going to take this money which we anticipate we won't have to spend.

By the way, that assumes there will be no more overseas contingent operations that will have to take place in the next 10 years. If we look at what is happening around the world, if we look

at the instability and threats that are happening around the world, it is pretty hard to assume we simply don't or won't need to spend any money over the next 10 years to address something that is a direct threat to the United States.

All of this basically says it is pretty hard to take seriously the suggestion by the majority leader and the President that we have done our job in cutting spending to reduce the debt.

If I were able to take the time to list the wasteful catalog of duplicative spending and wasteful spending of the taxpayer dollars on this floor, I would use up the rest of the day—and more. But let me mention a few examples from my colleague from Oklahoma, Senator COBURN, who I think has done this body and the American public a great service by delineating and outlining some of this unnecessary spending of taxpayer dollars and giving us a route and a roadmap and a pathway towards addressing unneeded wasteful spending of tax dollars, particularly at a time when we are having to borrow nearly 40 percent or more in order to keep our government functioning. This spending Senator COBURN has listed comes out of official government reports—the Government Accountability Office, the Congressional Research Service, and other government entities. These have been documented by our own official national government agencies:

There is \$1.6 billion spent annually to maintain unneeded Federal property. If it is unneeded, why do we have to maintain it year after year at a cost of \$1.6 billion? Let's put a "for sale" sign up there and receive some revenue from these assets that are documented as being unneeded.

Another \$1.6 billion is spent by the Federal Government to provide free cell phone service. Now, the Congress passed legislation for certain categories of low-income people to receive free cell phones. Whether you are for that or against that or voted for it or voted against it, what has been laid out here is the fact that many of these phones are going to people who don't qualify for this handout, and hundreds of thousands of those go to people who already have at least one phone. Offer somebody a free second phone, and they are going to grab it. But do they need it, and does the taxpayer need to pay for it?

Also, \$50 million of taxpayer money went to the IRS for a public relations effort to try to improve its image with taxpayers. Good luck with that PR program. I think we know their opinion of the IRS. And is this really a necessary expenditure?

The IRS sent a prisoner who filed a bogus tax return a refund for \$327,456, and they even sent it to the correctional facility. You would think that somewhere along the line, somebody would say: Maybe we ought to look into this. Hopefully we will be able to get this one back, along with \$30,000

that was sent to a jail where a murderer collected \$30,000 in claimed unemployment benefits. Well, yes, he was unemployed, but that is not exactly what our unemployment system is designed to do. So while we are going after the \$327,000, maybe we can collect this \$30,000 on the way.

Every day we hear of reports of food stamps being used to pay for beer, cigarettes, cell phone bills, and even cars. That hardly needs to be mentioned because it is something we have come to understand—there is a lot of misuse of tax dollars.

On and on it goes, and I could list more and more.

Just the other day, Senator COBURN listed some duplicative programs, and he thought: Well, maybe we don't need multiple numbers of these. Maybe we can consolidate.

We have 18 domestic food assistance programs, 45 separate job-training programs. And I love this one, my personal favorite—more than 50 financial literacy programs provided by the Federal Government.

The first question we need to ask is what does the Federal Government have to say about financial literacy, given our current financial situation? Hopefully it is using its own dysfunction as an example of what not to do.

These outrageous spending items and duplicative Federal programs are not isolated examples. Just a few weeks ago the Treasury Department issued its year-end report for fiscal 2012. One of the bombshells in this report that has received virtually no coverage or commentary is the estimate by the Government Accountability Office that \$108 billion was lost to improper payments by the Federal Government.

Since over one-third of all Federal spending wasn't even examined yet by the GAO, the total amount lost obviously will be much higher. The fact that this escaped the notice of much of the media and many of my colleagues is very telling. Unfortunately, we are so used to the notion of inefficient or wasteful Federal spending, a government report verifying over \$100 billion in waste, fraud, and abuse doesn't even register.

When my colleagues come down to offer amendments and are voted down, amendments to offset spending for new programs such as disaster relief and a cacophony of rejections comes their way saying, "How dare you even think about trying to offset this, you are taking money away from babies and children and mothers and essential functions of the Federal Government?" Then you start to read down the list of wasteful programs and duplicative programs and they say they cannot come up with a dime to offset needed expenses.

Let me say we are not here to undermine or destroy the necessary function of running an efficient government. But the key word is efficient. We want to spend taxpayers' dollars in a way so taxpayers understand we are doing the

best to spend their hard-earned dollars on essential programs.

I have suggested to the Appropriations Committee that each program for which we appropriate money be put through a system of what I call triage. We ask each agency before it presents its budget to us, annually, for the appropriations to pay for their expenses and distributions, that they first address this question: Is this an essential function of the Federal Government? Is this a function we might like to do but can no longer afford to do? And separate that from those we no longer need or never should have been put there in the first place.

At a time when we are suffering from the plunge into deficit spending and debt, should we not apply some standards and principles as to where and how we allocate funds that are sent to us by the taxpayer? I have asked each agency to do that. We have not received any reports back. All we hear, from a number of voices around the town, is: Oh, no, we cannot touch any of this; every dime we spend is absolutely necessary.

I think what Senator COBURN has begun to do and what I hope to do, and to work on with him and others, is to identify some of those areas and literally ask the question to my colleagues and to the American people: Do you think this is an essential function of the Federal Government? Is this something that maybe we would wish to do but do not have the money to do? Or is this something that, frankly, has not lived up to its promise, is wasting money, or is this something that never should have been passed in the first place?

If we do not apply those principles to our future spending, we are going to continue down this road. We all know the big three—Social Security, Medicaid, and Medicare—have to be reformed to save these programs, but have to be reformed because they are unsustainable in their current form. I will be talking much more about that later. But what I do want to acknowledge here today is that without getting to those programs, which we have to do if we are going to solve our long-term problem, we also need to seriously look at how we spend money on all the discretionary spending that comes before this body. We have to look at those things that simply do not measure up in terms of a responsible way of handling our taxpayer revenues.

I am going to continue coming to the floor, I am going to continue pointing out areas where I think we can save money, and continue to make the case that this Congress has not begun to do the job it needs to do in terms of dealing with our spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

DEBT CEILING EXTENSION

Mr. CARDIN. Mr. President, last week the Senate passed legislation

that had already been approved in the House that extended the debt ceiling until late this summer. It was the right thing to do. It was the right thing to extend the debt ceiling of our Nation because it allows us to pay the bills we have already incurred. There is not one dime of new spending that is authorized under the legislation we approved. My only regret is that we did not extend it for a longer period of time, giving greater certainty to the financial markets.

If we were ever to violate the debt ceiling, the consequences would be that the taxpayers of this country would have to pay more for the obligations of our Nation in interest costs. It would permanently damage the reputation of this Nation as far as our ability to pay our bills. It would be counterproductive to everything we are trying to do to help the taxpayers of America. It was the right thing for us to do, to extend the debt ceiling, but we still have a lot more work we need to do.

Our current accumulation of debt is not sustainable. We cannot continue to spend what we are spending today and collect what we are collecting today in revenue and sustain the fiscal integrity of the United States. We spend too much and we do not bring in enough revenue. That is the issue we need to address. It was not addressed in the debt ceiling. The debt ceiling should have been extended. But we now need to deal with the fundamental problem that our spending and revenues are not in line.

We could talk about the cause of how we got here. We could talk about how the Congress reduced tax revenues while we were at war, a policy I spoke out against and voted against. But our responsibility is to figure out how we go from where we are today, with budget deficits that are not sustainable, to how we can bring our country into better fiscal balance. We need a balanced approach. We need an approach that looks at spending, looks at revenues, that acknowledges that job growth is, first and foremost, our objective. We have to create more jobs in our economy—more people working, less people needing governmental services, more people paying tax revenues; all that helps generate the growth in our economy.

We have to protect the middle class. The middle class has been particularly vulnerable during this slowdown in our economy from which we are now recovering. It has to be real, what we come up with. That means it really does deal with the deficit problems of this country and should be long term. I think all of us are tired of these short-term extensions. They may avoid an immediate problem but they do not give the type of predictability that is necessary for our economy to take off and grow.

If you are an investor, it is tough to invest if you do not know the ground rules, if you do not know what the Tax Code is going to look like, what the Federal budget is going to look like.

How do you invest in expanding a plant to deal with expanded Federal needs when you don't know what the budget is going to be? How do you deal with the Tax Code if maybe you want to develop an energy company when you do not know what the tax provisions are going to be for that operation? We need to give predictability. Therefore, long-term solutions are better.

And it needs to be truly bipartisan. I was here on New Year's Eve at midnight. I saw the Democrats and Republicans come together in a true compromise that I think put the Nation's interests first rather than our partisan interests. I would have wished to see us do things a lot differently than in that agreement, but it was bipartisan, we compromised, we listened, and did it in the best traditions of the Congress.

I wish to take us back 2 years ago when we started to struggle with how we would deal with our fiscal problems. President Obama appointed the Simpson-Bowles Commission, and we know a lot about that. They made their recommendations. Some of the recommendations' specifics were pretty controversial, but I think as to the overall framework of the Simpson-Bowles recommendations—the amount of additional revenue we need to bring in, the types and parameters of the spending cuts—I think there was general national agreement that that was the framework which would allow us to move forward in the best interests of our economy. I point out in the last Congress the Democrats on the Senate Budget Committee adopted that approach as our framework to move forward. I think that is what we need to look at.

Let me make a couple of points, because I have listened to a lot of my colleagues come to the floor and talk about how we have not made progress, that our deficits are too large. We have made progress. We have. We have gotten about halfway there. Simpson-Bowles was somewhere between \$4 and \$5 trillion of deficit reduction over a 10-year period. We are about halfway there. We have about \$2.5 trillion we have gotten done. We got that done because we passed the Budget Control Act, and the Budget Control Act put in lower caps on discretionary spending on the domestic side. That is now the law of the land. Over \$1 trillion of deficit reduction was accomplished because of the Budget Control Act.

We did another \$1 trillion of deficit reduction on New Year's Eve, the fiscal cliff agreements that brought in more revenue by making permanent the 39.6-percent tax rate for high-income taxpayers and bringing in some additional spending cuts. That is real.

My colleagues say we still have these large deficits and they are larger than they were before, but if we did not do the Budget Control Act and we did not do the fiscal cliff agreements, the deficit would be much higher. Again, using some common baseline, such as Simpson-Bowles did, we have done

about half of what, if you agree on the framework of Simpson-Bowles, we need to do. We have to get more done; we are not there yet. The revenues of this country traditionally have been about 19 percent of our economy. That is what it was under President Clinton when we balanced the Federal budget. We actually had surpluses. Our economy was growing. There was job growth. We were moving in the right direction.

Our revenues have dipped to about 15 percent of our economy, so we are not anywhere near having as much revenue as we need in order to have a balanced approach that allows for job growth. And, yes, our spending is too high, particularly on what we call the mandatory side. We agree with that. If you look at our health care costs in this country, they are much higher than those of any other nation in the world and we do not have the health results that would demonstrate why we are spending so much more. We need a more efficient system. That is why a lot of us supported the Affordable Care Act, because we see in it delivery system reform that will make our health care system more efficient, bring down the cost of hospital care by reducing readmissions, bring down the cost of hospital care by reducing hospital infection rates, bring down the cost of high-cost interventions by dealing with people with complicated issues, multiple issues, in a much more managed way; using health technology more efficiently; using preventive care to actually reduce health care costs. We know early intervention saves lives, saves costs, and when you bring down the cost of health care you bring down the cost of Medicaid, you bring down the cost of Medicare, and you help our budget get into better balance.

We also believe we can save money in the military. The baseline for military spending assumes the high level of military operations in Afghanistan. Well, our troops are coming home. I think we can now safely assume that our Active military needs will not be at the high levels they have been over the last decade, and that will save money. I personally think we need to look at a BRAC-like process for our international military facilities, as we did for our domestic military facilities. All of that can save money.

So what do we need to do? We need to get together, Democrats and Republicans, on a balanced approach. We need to do it in the month of February because on March 1 these automatic cuts, known as sequestration, take effect. The automatic cuts were put in during the Budget Control Act as a way to get us to act. None of us wanted to see across-the-board cuts to both our domestic and our military budgets; we didn't think that made a lot of sense. After all, some programs are more important than others, and we should make the hard choices. We should not be using an across-the-board cut.

We need to come together. As I have indicated, there are areas in the spend-

ing where I hope we can come together so we can make our system more efficient, particularly on the delivery of health care. There are certain reductions we can make in the overseas contingency accounts in our military.

On the revenue side, we have brought out areas where there are loopholes and shelters in our Tax Code. We can do a better job. It is interesting that the top 1 percent of the taxpayers of this country receive 25 percent of the benefits on what is known as tax expenditures. I heard my colleagues come to the floor and talk about how we have to bring down the cost of spending. Well, yes, we do spend through appropriations bills, but we also spend through tax expenditures, which are provisions we put in the Tax Code to give breaks to some—not all—of our constituents. When we add up all those tax expenditures, it comes to \$1.2 trillion a year. That is what the tax expenditures come to. That is larger than our entire discretionary spending. We are spending more through the Tax Code than we are through appropriations bills. We can certainly find some savings in those tax expenditures, and we can use that in a balanced approach to be able to avoid the across-the-board cuts and get our budget back into better balance. That is where we need to move as a Congress and as a nation.

It is important for us to take timely action. Let me underscore that. We need to act in February. We don't want to go through the uncertainty of what sequestration means. I have talked to a lot of businesspeople who depend on Federal contracts. Will that contract be let? They don't know. We need to give predictability so that our economy can take off.

I hope we all put our Nation's fiscal interests ahead of any of our partisan objectives, and that means listening to each other. Democrats and Republicans need to listen. My colleagues on the Republican side of the aisle have made some good points in regard to mandatory spending. My colleagues on the Democratic side of the aisle have made some very valid points about the need for revenue. I hope we will listen to each other, resolve our differences, and put a proposal forward that brings our Nation back to a stable fiscal future, which will allow us to create the types of jobs we need by investment and fiscal prudence so our economy can continue to lead the world. We need to act in a responsible, balanced, bipartisan, and timely way.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine.

VIOLENCE AGAINST WOMEN ACT

Ms. COLLINS. Mr. President, I am honored to be an original cosponsor of the bipartisan legislation to reauthorize the Violence Against Women Act. Let me thank the two leaders of that important bill, Senators LEAHY and CRAPO, for their work to ensure that

the Senate makes renewing this important law a high priority early in this Congress.

I also wish to acknowledge the work of the many advocates who have delivered so strongly the message to Congress and to the public that we must do more to prevent violence from occurring in our homes and in our communities. Our law enforcement officers, counselors, social workers, health care professionals, public educators, and community service providers are truly on the front lines of the effort to help those who are the victims of violence and to help prevent violence from occurring in the first place. Their advocacy on behalf of these victims has helped to make this bill a priority. I commend them all for the work they are doing each and every day.

In my home State of Maine, we are fortunate to have a very low crime rate, but law enforcement officials tell me that the two greatest areas of concern are domestic violence and drugs. Often, these two go hand in hand. In fact, a 2011 study by the University of Southern Maine's Muskie School of Public Service found that 65 percent of victims of crime in Maine believe the offender was under the influence of drugs or alcohol at the time.

Over the last decade, occurrences of domestic violence have resulted in nearly half of all homicides in my State. Nearly half are the result of incidents of domestic violence.

According to statistics from the Maine Department of Public Safety, there were 5,360 reported domestic assaults in the year 2011, which is nearly a 5-percent increase from the previous year. This equates to one domestic assault every 1 hour and 38 minutes, and this is in a State with a very low crime rate.

Nationally, one in four women and one in seven men experience severe physical violence at the hands of an intimate partner.

In addition, Maine's 10-year average is 364 rapes per year. Think about that. That is almost one rape per day in a State with a very low crime rate. Those are only the reported crimes. I suspect the actual number is even higher. According to the Maine Coalition Against Sexual Assault, an estimated 13,000 Mainers will experience some form of sexual violence this year alone. Currently, rape has the lowest reporting, arrest, and prosecution rate of all violent crimes in the United States.

So I am very pleased that this year's reauthorization bill also includes the provisions of the Sexual Assault Forensic Evidence Registry—or SAFER—Act, which was authored by our colleague, Senator JOHN CORNYN. I commend the Senator for his leadership in that area, and I am pleased to be a cosponsor of his bill, which unanimously passed in the last Congress in the Senate and has been incorporated into the Violence Against Women Act reauthorization. This bipartisan bill, the

SAFER Act, would authorize the Attorney General to award grants to State and local governments to audit and reduce the backlog of untested rape kits.

Mr. President, I think you will share my shock and alarm at the number of these kits which are sitting in the possession of law enforcement agencies and which could contain DNA evidence that would lead to prosecutions and help get rapists off the streets and yet have not been analyzed. The estimate is that between 300,000 and 400,000 of these kits are just sitting in the possession of law enforcement agencies but have not been analyzed. That is totally unacceptable.

The reauthorization bill we introduced last week would help ensure that Maine and every other State has the necessary resources to support victims of violence and, whenever possible, to prevent violence from occurring in the first place.

Elizabeth Saxl, the executive director of the Maine Coalition Against Sexual Assault, recently wrote to me in support of the reauthorization of the Violence Against Women Act. She noted this in her letter:

By reauthorizing and making significant improvements to these important programs, this legislation will help fulfill the critical unmet needs of victims of violence and expand protections to currently under-protected populations.

Mr. President, I ask unanimous consent that her letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Ms. COLLINS. The Violence Against Women Act has made a significant difference in combating domestic violence, sexual assault, and stalking, through grants to State and local governments and nonprofit organizations. Since it was first passed in 1994, the programs authorized under this law have provided State and local partners with more than \$4.7 billion of assistance. This assistance helps to ensure that the victims of violence get the help they need to recover and has prevented incalculable suffering by stopping violent crimes before they happen.

It is extremely important to pass this legislation because all men and women—and men are victims as well as women. In some ways, the name of this law should be changed. But all women and men, regardless of race, religion, sexual orientation, or disability deserve to be safe and protected from physical violence, and that is what this reauthorization would help to do.

Finally, this is not and never should be a partisan issue. Violence and domestic assaults do not discriminate between Republicans and Democrats, Independents and Greens, or people who are not politically active at all.

This is an equal opportunity crime that harms people regardless of their political affiliation, their profession,

their location, or their status in life. It is an issue that deserves bipartisan support. I hope my colleagues on both sides of the aisle will come together and pass this important bill.

I recognize there may be some provisions of this bill which are controversial; but, surely, we can come together in support of the goal of this vital legislation. We can work out differences if not on the Senate floor then in conference with the House; but, surely, we can come together and reauthorize this law that has made such a difference to so many in our country.

EXHIBIT 1

MAINE COALITION AGAINST

SEXUAL ASSAULT,

Augusta, ME, February 4, 2013.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the Maine Coalition Against Sexual Assault (MECASA), and the sexual assault crisis and support centers we represent, I am writing to express our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. By reauthorizing and making significant improvements to these important programs, this legislation will help fulfill the critical unmet needs of victims of violence and expand protections to currently under-protected populations.

VAWA has provided invaluable support for law enforcement, courts, sexual assault crisis and support centers, domestic violence service providers, prevention efforts, and community outreach. In the past decade, nearly half of Maine's homicides have been the result of domestic violence, many of which included elements of sexual violence. Additionally, nearly 13,000 Mainers will experience sexual violence this year alone while Maine's ten-year average for rapes reported to law enforcement is only 364. The cost of these crimes to Maine is enormous. VAWA helps control these costs by enabling support centers to provide free, necessary, quality services to victims who need help, not to mention the incalculable suffering that these programs help prevent.

Since the original passage of VAWA, Maine has strengthened laws regarding domestic violence, sexual violence, and stalking and has implemented programs which continue to yield tangible results for victims and for public safety. Despite VAWA's success, its criminal justice and community-based programs remain acutely necessary. According to a recent study by the University of Southern Maine's Muskie School of Public Service, nearly one in five Mainers reported having been the victim of sexual assault or an attempted sexual assault in his or her lifetime. Nationally, the Center for Disease Control and Prevention estimates that nearly one in five women and one in 71 men have been raped at some time in their lives, and one in four women and one in seven men experience severe physical violence by an intimate partner.

MECASA supports efforts to further strengthen and improve the response of the criminal justice, legal, and victim support systems for survivors of domestic violence, dating violence, sexual assault, and stalking. We are grateful to you for your steadfast support of VAWA and your commitment to violence prevention and response.

Thank you for all you do on behalf of Maine and our nation.

Sincerely,

ELIZABETH WARD SAXL,
Executive Director.

Ms. COLLINS. Mr. President, seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. I thank the Chair.

(The remarks of Senator CORKER pertaining to the introduction of S. 215 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. CORKER. Mr. President, I notice the absence of a quorum, and I thank the chair for the time.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KING.) Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I speak as in morning business.

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

DOD REFORM

Mr. MCCAIN. Mr. President, this past year, our national debt passed a staggering \$16 trillion, more than \$51,000 for every man, woman, and child in America. Today, several very serious fiscal matters that would seriously impact the Department of Defense and the U.S. defense industrial base, including budget sequestration, the debt limit, and disposition of the defense budget for fiscal year 2013 remain unresolved. Underpinning all of these matters is the larger issue of why the culture of how the Department of Defense does business must change. While daunting, this question provides us with a valuable prism through which Senator Hagel's nomination, now pending consideration by the Armed Services Committee, should be considered.

By "culture," I mean that the mindset that has for years pervaded how the Department of Defense buys goods and services and manages assets and resources without regard to either their affordability or what our service men and women actually need to defend the Nation.

After years of developing legislative initiatives intended to reform how the Department does business, I am convinced that the single most effective agent of cultural change at the Department is the right leadership: leadership that recognizes that the Department owes to the taxpayer a stewardship obligation to extract maximum value for every defense dollar spent, and a moral responsibility to the warfighter that these dollars are being spent wisely, to effectively procure desired combat capability.

We need strong fiscal leadership to reject the use-or-lose mentality that incentivizes managers of the Department's programs and activities to spend every dollar, no matter what our priorities really are, and replace it with a process that actually rewards sound program management, incentivizes efforts to cut costs, and rewards those who use entrepreneurship and ingenuity to meet mission requirements, while returning taxpayer funds to the U.S. Treasury. In other words, cultural change needs leadership that not only rejects "business-as-usual" but also challenges it. Where Senator Hagel is on this is not clear.

One area that reflects how desperately the Department of Defense needs to change its culture of inefficiency is how it procures goods and services, in particular, how it acquires major weapons systems. While reforms in this area have been attempted for more than 25 years, the same deplorable outcomes—major cost overruns, schedule slips, or failures to perform as promised—all persist. Why? It is because despite these efforts, the underlying culture within the Department of "business-as-usual," which predisposes its largest programs to these outcomes, has been allowed to live on.

In how the Department procures its largest and most expensive weapons systems, this translates into a mindset that so fails to recognize the need for affordability that it has made the Department more willing than it should be to accept (at any cost) more risk than it can responsibly manage. There are far too many examples of where the Department begins a major program without knowing what it really wants or how these requirements should translate into technical specifications that are designed to generate the combat capability it really needs. Also, all too many times, there is no traceability between these specifications through a test regime that is sufficient to ensure that the system the Department is procuring is operational effective, suitable, and survivable before entering operational testing or early production. So what happens? These systems stay "on rails"; blow through their original cost and schedule estimates; and, at the end of the day, bear little resemblance to what the war-fighter actually needs.

But program management, fixated on "keeping the money flowing", push the program—many times, reimbursing the contractor for its costs throughout, and with the parochial support of Members of this body—down the development pipeline, offering facile excuses for poor performance and, ultimately, less-than-desired capability. All of this happens within an overall management system that is overly cumbersome and costly and provides for no meaningful accountability.

In the aggregate, this has been a "perfect storm". A defense procurement culture that is content with promises of exquisite solutions over ac-

tual affordability has squandered literally billions of taxpayer dollars. According to a recent study, since 2004, programs canceled by the Army alone consumed between \$3.3 billion and \$3.8 billion per year. That is 35 to 45 percent of the Army's annual budget for development, testing, and engineering over this period. Obviously, this is simply unacceptable and unsustainable.

Yet it happened again just recently. A couple of months ago, the Air Force, quite rightly, decided to kill a huge logistics supply chain management business system called the Expeditionary Combat Support System, ECSS. But it did so only after, one, sinking about \$1 billion into the program since its start in 2005; two, recently finding that another \$1.1 billion would be needed to field just 25 percent of ECSS's promised capability; and, three, extracting from the taxpayer's total \$1 billion investment less than \$150 million in usable hardware and software. I repeat: A total \$1 billion investment, less than \$150 million was obtained in usable hardware and software. This is a travesty. In terms of how little benefit we realized compared to how much was spent, it is one of the most egregious examples of mismanagement in recent memory.

Some reforms have helped, but much work needs to be done. The Weapons Systems Acquisition Reform Act of 2009 and its prescription to "start programs off right," was a move in the right direction. I am pleased to report that in its last of the three reports focused on how effectively the Department has been implementing that act, the Government Accountability Office recently found that the Department has been taking positive steps to implement this reform act.

It did so having sampled 11 weapons acquisition programs, including the KC-46A tanker, the SSBN(X) *Ohio*-class ballistic missile submarine replacement, and the Ground Combat Vehicle, GCV. But getting rid of poor cost-, schedule-, and performance-outcomes and how the Department procures goods and services will require the sustained and enduring change that only a change in culture can provide. When it comes to defense procurement, a change in culture is possible only with leadership that recognizes that for government to act as a responsible steward over defense dollars, it must be as knowledgeable, skilled, and sophisticated a buyer as industry is a seller.

Whether Senator Hagel would serve as the right leader at the Department of Defense to foster needed cultural changes in the Department's procurement practices is unclear. What we do know is that the right person must embrace the following principles: Set realistic requirements early and manage changes to those requirements aggressively. The Department must enforce better discipline and achieve greater accountability in how it meets its most critical military needs by dismantling stovepipes among the requirements, ac-

quisition policy, and budgeting communities and ensure clear lines of authority within acquisition organizations. With the benefit of robust participation by the uniformed military, requirements should be frozen early, allowing for sufficient trade-space among the program's cost- schedule- and performance-variables to ensure that it is effectively managed throughout its lifecycle. Exquisite high-risk, next-generation solutions should be spiraled out over time. In other words, programs should be set to shorter acquisition timelines and should be managed to them.

Improve the Department's ability to price risk—effectively and independently of industry—and budget to that cost. By "risk," I mean the risk that a system is exposed to throughout its life cycle: technical-, software-, development-, integration-, manufacturing-, and sustainment-risk—all of them. Acquiring weapons systems thoughtfully vis-a-vis risk would minimize funding instability which can absolutely decimate a program's ability to deliver required capability on budget and on time and ultimately result in reliable systems that will be affordable to own and operate.

Revitalize, and where necessary, build-up the Department's "organic" workforce in areas most vital to "buying smart", like cost-estimating, technical- and systems-engineering, developmental testing, et cetera. The Department must be able to conduct proper should-cost analysis to inform its positions when it negotiates contracts and conduct engineering trade-off analysis to manage programs effectively over their lifecycles. With the benefit of this capability, the Department will be able to more effectively target affordability and control cost growth.

Require the use of the type of contract that is most appropriate to the level of risk to be managed in the fee structure that is most appropriate to the type of performance to be incentivized. This requires the Department to know what it needs and, in connection with that requirement, exactly what kind of contractor performance it wants to incentivize. To that extent and as quickly as possible, the Department must get its programs into a low- to moderate-risk environment where it can use fixed-price contracts to effectively incentivize cost control.

Better incentivize productivity and innovation. Rationalize profit policy and effectively use performance-based contracting and other tools in the contracting toolkit to incentivize and reward contractors for effectively managing costs, successfully managing their supply chains and indirect expenses, and actually delivering promised capability.

Promote real competition, instead of "checking the blocks". Nothing drives costs down and enhances quality more effectively than competition. The Department has to make sure that competition, or the option of competition,

is brought to bear on a program throughout its lifecycle, at both the systems and subsystems level. To the extent that the Department has been recently successful with some of its large, high-profile procurements, it is because it has been able to leverage competition aggressively.

Improve how the Department acquires services. Military departments that have started diving into this area have already found massive opportunities for savings and efficiency—easily amounting to billions of dollars. This initiative should not only continue; it should expand throughout the defense enterprise.

Reform how the Department procures information systems, especially, major automated information systems. While the technical aspects of these products are, of course, fundamentally different from major weapons systems, the basic tradecraft, especially those that reflect best business practices, shouldn't be that different. Procuring cyber-security capability may, however, require greater agility and flexibility than what can be provided under the long and slow "deliberative" acquisition process.

Improve the "rapid acquisitions" process. In support of on-going operations, the war-fighter cannot rely on the "deliberative" acquisition process to satisfy its needs. The process by which these sorts of urgent operational requirements are satisfied reliably and cost-effectively needs to be reformed.

Rein in the Department's ability to reprogram funds. I have been appalled that in fiscal year 2011 alone, the Department of Defense transferred nearly \$27 billion among Defense accounts and that only \$11 billion, or 40 percent of these transfers, received any type of congressional oversight. That oversight was limited to just 8 Senators out of 100. The oversight of the transfer of billions of dollars is confined to the oversight of eight Members of the U.S. Senate. I happened to be one of them for the last 6 years, but I don't think it is appropriate to transfer that kind of money without all 100 percent being apprised of the need to do so. Despite that the Department cannot be audited—the Department of Defense has never been audited—we continue to provide it with the flexibility to engage in what amounts to budget gamesmanship where certain accounts, such as operation and maintenance and base-operations support, which are intended to satisfy "must-pay" bills, are historically underfunded in the President's annual budget request, with the understanding that the Department will be able to transfer funds between accounts down-the-road. In my view, this type of budget gamesmanship is a big reason why the Department cannot annually produce auditable financial statements and frustrates objectively assessing the priority or urgency of the Department's requirements.

This brings me to the other major area of how the Defense Department

"does business" that underscores the need for cultural reform, defense financial management, and the most significant thing that can be done in this area is finally getting the Department auditable.

There can be no doubt that the ability of the Department to be audited independently would help ensure that the defense dollars are not wasted, lost, or otherwise misused. Absent auditability, the Government Accountability Office (GAO) has, since 1995, designated the Department's financial management as "high-risk".

Today's fiscal challenges bring new urgency to the issue of auditability at the Department of Defense. To navigate successfully through this period of austerity and fiscal uncertainty without inadvertently impinging on military readiness, the Department will have to make management decisions that are fully informed and carefully calibrated. To ensure intended results, the Department has to make sure these decisions are being executed as planned.

From well-managed companies in the private sector, which have to make decisions like this all the time, we know that reliable financial data, effective internal controls, efficient business processes, and sound business systems are needed to support an organization whose finances can be audited.

Granted, the Department won't use auditable financial statements themselves to make important management decisions, but the high quality of the financial information that feeds into financial statements that are ready-for-audit would be incredibly valuable, indeed indispensable, for identifying opportunities for savings and efficiencies; successfully implementing initiatives and management controls to realize these savings and efficiencies; and making sure that increasingly scarce defense dollars are redirected to higher defense priorities. This would give the primary stakeholders in how the Department is managed—the war-fighter and the taxpayer—confidence that the defense management decisions can be relied upon to produce intended results. Given the state of financial management at the Department of Defense today, we do not now have that confidence.

One big reason why we don't is that to date the Department's commitment to achieving financial auditability has been characterized by blown-deadline after blown-deadline. Various statutes, including the Chief Financial Officers Act of 1990, the Government Management Reform Act of 1994, the Federal Financial Management Improvement Act of 1996, and other provisions in various Defense authorization and appropriations acts, have required financial improvements at the Department of Defense for the Department to produce auditable financial statements. After continuous failure, we are at a point now where, for example, when then-Secretary of Defense Gates was trying

to find efficiency and reduce waste at the Department a few years ago, he said what he was doing was "something akin to an Easter egg hunt". He explained, "[M]y staff and I learned that it was nearly impossible to get accurate information and answers to questions such as '[h]ow much money do you spend?' and '[h]ow many people do you have?'"

For this reason, after succeeding Secretary Gates, Secretary Panetta immediately elevated financial improvement to a top priority of the Department by directing the Department to cut in half the time to make a key financial statement, called the Statement of Budgetary Resources (SBR), ready-for-audit. This goal must be achieved by fiscal year 2014. Seeking to leverage Secretary Panetta's initiative and with the assistance of Senator AYOTTE, the Senate Armed Services Committee included a provision in its authorization bill this year that formalizes this goal.

I am pleased to say that while much work needs to be done for the Department of Defense to achieve its audit-readiness goals, the Department has made some limited progress, particularly through its Financial Improvement and Audit Readiness (FIAR) plan, which the Senate Armed Services Committee legislated as a requirement a few years ago. The House Armed Services Committee's Panel on Defense Financial Management and Auditability Reform found early this year contained a "reasonable strategy and methodology."

In my view, it is no longer the case that top defense managers "just don't get it" or that they are dragging their feet because they don't see financial improvement as a priority. Indeed, perhaps the silver-lining in today's fiscal challenges is that it seems to have united top management at the Pentagon into finally realizing how important it is for the Department to become financially auditable.

Indeed, over the last few years, some agencies within the Department, such as the Army Corps of Engineers, the Military Retirement Fund, Defense Contracting Audit Agency, and TRICARE's Contract Management Activity have received clean audit opinions. As GAO's Director of Financial Management and Assurance Asif Khan recently said, Secretary Panetta's directive has resulted in a "change in tone at the top" that has "reset" the Department's efforts to achieve an unqualified audit opinion. How exactly would Senator Hagel, if confirmed, further Secretary Panetta's efforts here?

This is not an academic question. As the Department of Defense's Deputy Inspector General for Auditing Dan Blair recently noted, for the Department to achieve an auditable statement of budgetary resources (SBR) by 2014, it must run what amounts to "a big checking account with thousands of people being able to write checks" and that capturing an "auditable universe"

within it will require reconciling between a general ledger and subsidiary ledgers.

A big problem is ongoing delay in implementing very expensive business computer systems called “enterprise resource planning” or ERPs, which perform a number of business-related functions vital to transforming the Department’s business operations. The ECSS system I mentioned a few minutes ago is one of these ERPs.

As of December 2009, the Department of Defense has invested over \$5.8 billion in these ERPs and will invest billions more before they are fully implemented. Most of them are over budget and behind schedule or haven’t provided promised capability. Yet these ERPs make up more than half of the Department’s entire expenditure in the area of business transformation, costing the taxpayers more than \$1 billion per year.

This is vitally important. If the Department doesn’t get ERPs right, like a system known as ECSS that cost \$1 billion dollars, not only will the Department have squandered monies that it had already sunk into these programs but it will also severely undermined its ability to improve the efficiency and the effectiveness of scores of business-missions such as logistics and supply chain management, et cetera, that are key to supporting those service-men and -women who defend the Nation.

What needs to be done? From the top down, lines of authority must be clarified. The relevant workforce must be well-versed in government accounting practices and standards and be experienced in related-information technology. Given how vitally important these ERPs are to this mission, people who have actual experience successfully implementing global business systems must be properly mixed into the workforce, and contractors hired to integrate these business systems into the Department must be the best-qualified partners and held to the same high performance standards that should apply to any other major defense acquisition.

Within this overall structure, there must be sufficient oversight and accountability vis-a-vis a well-defined and federated business enterprise architecture that ensures that, in terms of organizational transformation and systems modernization, all the different elements of the Department are moving in the same direction toward a single goal. These kinds of issues need to have the day-to-day attention of the Department’s Chief Management Officer, that is, the Deputy Secretary of Defense and the chief management officers within the military departments.

At this point, I am of the view that, with all of the congressional reforms and mandates in the area of financial improvement over the past few years, the Department of Defense has all the tools it needs to have in its tool-kit to achieve audit-readiness on time and on budget. The issue is leadership and exe-

cution. As the House Panel on Financial Management and Auditability Reform noted, a vital part of that is “ensuring that senior leaders are held accountable when audit readiness goals are not met, and conversely, rewarded when goals are achieved”. Also, defense financial improvement must no longer be regarded as an activity important only to the Department’s financial community. Field commanders have to be fully engaged and interested in driving change outside the Pentagon. If Senator Hagel is confirmed, his setting this tone from the top will be vitally important.

Is all this enormously challenging? It absolutely is, as befits an organization of the size and complexity of the Department of Defense. With an annual budget equal to the 17th largest economy in the world, as the Institute for Defense Analyses recently noted, the Department’s “business” of achieving its unique and disparate missions worldwide on an ongoing and contingency basis equates more to an economy than a commercial business.

Be that as it may, with an annual federal budget deficit of \$1.3 trillion and defense reductions of at least \$487 billion and possibly, with sequestration, another \$500 billion over the next 10 years, the Department needs to have reliable financial management data to help it distinguish between defense budget cuts that are prudent and necessary, and those that may impinge on military readiness and, therefore, endanger our national security.

Only a Department that can be audited can give us the assurance that the Department is moving in the right direction in terms of identifying the right opportunities to save defense dollars and eliminate waste, and redirecting increasingly scarce defense dollars to higher defense priorities.

All I have discussed today illustrates how important sound leadership at the top of the Department of Defense is to “buying smarter” and getting the Department ready-for-audit. Without leadership fundamentally and unalterably mindful of the Department’s responsibility to the American people to use defense dollars wisely, this cultural change will forever remain elusive. For this reason, this body’s consideration of the President’s nominee to serve as the next Secretary of Defense will be more important than it has been in recent memory.

I would like to give credit to the present Secretary of Defense, Mr. Leon Panetta, who brought his knowledge and expertise on budgetary matters to his work at the Pentagon. I will say more about him later on, but I am very appreciative of the outstanding service present Secretary of Defense Panetta has provided to this Nation, with many long years of service both in elected as well as appointed office. We are proud to have Americans such as Secretary Panetta serving our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

IMMIGRATION

Mr. GRASSLEY. Mr. President, I am glad the Senate is now having some discussion among Members not yet on the floor about the issue of immigration because it is a very important problem that we have to deal with. I look forward to the debate that I think is coming up this year on immigration, and I would like to share my thoughts and my past experiences on this issue. I particularly want to share my personal experience from the 1980s amnesty law and what we can learn from that debate.

But before I go into that history, I wish to commend many Senators who are working together to forge a consensus and produce a product on this terribly difficult issue. I commend them for sitting down and agreeing to a set of principles that were put forth in a news conference last week. As ranking member of the Judiciary Committee, I expect to play a role in brokering an even broader consensus with additional Members.

I have read the bipartisan framework for immigration reform this group has written, and the one thing that struck me—in fact, it is the last sentence in the preamble—is this:

We will ensure that this is a successful, permanent reform to our immigration system that will not need to be revisited.

In other words, the group understands we need a long-term solution to the problem. We need a serious fix so future generations don’t have to deal with 11 million or 15 million or 30 million people who have come illegally. That sentence is the most important part of that document, and we must not lose sight of the goal expressed by the eight Senators who enunciated that.

But we need to learn from our previous mistakes so we truly don’t have to revisit the problem. So let us discuss the 1986 amnesty under President Reagan. There are few of us in the Senate today who were present during that debate. In 1980, President Reagan campaigned on a promise that he would work to reform our immigration laws and legalize foreign workers in the United States. The President’s policies were further shaped by the Select Commission on Immigration and Refugee Policy that was created in 1978 under President Carter.

President Reagan signed a bill into law on November 6, 1986. So 6 years after he first ran for President, he signed a law. This law was known as the Immigration Reform and Control Act. The process to finalize the bill was long and arduous. It took years—6 years, to be exact.

In 1981, when I was a freshman Senator, I joined the Judiciary Committee and was a member of the Subcommittee on Immigration and Refugee Policy. Back then, subcommittees did real work. They actually sat down and wrote legislation. We had 100 hours of hearings and 300 witnesses before we

marked up a bill in May 1982—a mark-up 4 years before the President ever signed it.

Senator Simpson chaired the subcommittee, and other members included Senators Thurmond, Kennedy, and DeConcini. Senator Thurmond was called to the White House and Senator DeConcini had just been hospitalized, so Senators Simpson, Kennedy, and I brought up amendments and we actually voted on them. Senator Kennedy, on that day, said:

Immigration reform is one of the most complicated and difficult issues; it involves human beings, it involves families, it involves loved ones, children and the separation of those individuals.

His words would still resonate today.

In 1982, I told my colleagues on the Judiciary Committee that I wanted to do the right thing for the United States, and this is what I said at that time:

The real issue here is what is best for United States citizens. In trying to maintain that perspective, I have come to the conclusion through the course of attending many hearings on this issue, that increased border and interior enforcement along with employer sanctions and a secure worker eligibility identity system is necessary to regain control of our borders.

This is a philosophy that continues to guide me on this issue of immigration yet today. But I expressed my concerns with the legalization component at the time. I echoed the recommendations of the Select Commission on Immigration. That Commission said a legalization should, No. 1, be consistent with U.S. interests; and, 2, the program should not encourage further undocumented migration. The commission believed that a legalization program should not begin until new enforcement measures had been instituted.

The Commission knew then, as I did and as I know now, that “without more effective enforcement, legalization could serve as a stimulus to further illegal entry.” Those are the words of the Commission. You see, I didn’t think permanent residency should be granted until we had a worker eligibility system. I offered an amendment on that point in 1982, but that amendment failed.

The Judiciary Committee and the full Senate passed a bill in 1982, but it did not pass the House of Representatives. We tried again in the next Congress. The Senate passed a bill in 1983, and the House followed in 1984. We convened a conference committee between the House and the Senate, but Walter Mondale came out opposed. So we adjourned for the elections and failed to finalize a bill that year—2 years before President Reagan finally signed a bill.

We returned in 1985 to pass our bill again. That year, Senator Simpson included a provision to trigger the amnesty program only after enforcement measures to curtail illegal immigration were in place. Doesn’t that sound familiar? Congress passed a final bill in November 1986. The vote in the Senate was 63 to 24 and the House vote was 238 to 173.

Over the years, many Members have offered amendments to water down the enforcement provision in the Simpson-Mazzoli Act. That was the name of the legislation. Senator Simpson and Congressman Mazzoli were the leaders of that effort in 1986. There was a lot of opposition to employer sanctions, especially by Senator Kennedy. He wanted, in his words, “criminal penalties to be based only upon injunctive finding of a pattern or practice.” He tried to sunset the employer sanction. Senator Kennedy also fought hard to move the legalization cutoff date from 1980 to 1982 so more people could benefit from the amnesty.

The 1986 bill was supposed to be a three-legged stool: control of illegal immigration, the first leg; a legalization program, the second leg; and the third leg, reform of legal immigration. We authorized \$422 million to carry out the requirements of the Immigration Reform Act and created a special fund for States to reimburse their costs. The 1986 bill included a legalization program for two categories of people: one for individuals who had been present in the United States since 1982; and the second for farm workers who had worked in agriculture for at least 90 days prior to enactment. A total of 2.7 million people were given amnesty.

We also had enforcement. For the first time ever, we made it illegal to knowingly hire or employ someone here illegally. We set penalties to deter the hiring of people here illegally. We wrote in the bill that “one essential element of immigration control is an increase in the border patrol and other inspection and enforcement activities of the Immigration and Naturalization Service in order to prevent and deter the illegal entry of aliens into the United States and the violation of the terms of their entry.”

So let me again repeat one of the principles the Gang of 8 included in their framework enunciated last week: “We will ensure that this is a successful permanent reform to our immigration system that will not need to be revisited.”

Unfortunately, the same principles from 1986 are being discussed today. Legalize now, enforce later. But it is clear that philosophy doesn’t work. Proponents of amnesty today argue we didn’t get it right in 1986. I agree the enforcement mechanism in 1986 could have been stronger. That is why they need to be strong this time around. But I am already concerned some will attempt to water down the principles that have been put forth on enforcement measures. President Obama doesn’t seem to favor triggers.

The senior Senator from New York said just last week that border security wasn’t going to stop legalization. In his words, he said:

We’re not using border security as an excuse or block to the path of citizenship.

Advocacy groups are already talking about ensuring that a border security commission doesn’t stand in the way or

have veto authority over a legalization program.

One theme from 1986 is shining through today. Some say we need to legalize the millions of people who are already on U.S. soil. They say we need to bring them out of the shadows, know who is here, and give them a chance at U.S. citizenship. They imply that this would be a one-time deal because we would get it right this time—like we thought we got it right in 1986 but didn’t.

In the 1980s Senator Simpson was convinced that what we did then would be a permanent solution to our immigration problems. He stated:

We are attempting to assure that this is a one-time only program. . . . The purpose of legalization is not to award or reward or include the largest number of persons available. It is to bring forward into a legal status those most deeply entrenched in a society they would be least likely to return home to when the job opportunities no longer are available.

Senator Simpson said that a one-time amnesty would prevent us from a continuing series of amnesties. He said:

The major reason for legalization is to eliminate an illegal sub-class within our society. This is the legislation that will eliminate this exploitable group. Some people like to say that they hope it will clean the slate; that is what we are trying to do is clean the slate.

Well, those are good intentions by Senator Simpson, but, as I said, they obviously haven’t worked. And it is an admonition to those who want to do it right, once and for all, to learn from the mistakes of 1986.

Senator Simpson also said:

The American people, in my mind, will never accept a legalization program unless they can be assured this is a one-shot deal and that this is it, this is a one-time occurrence. And the policymakers in this country are not going to allow it to happen again and will prevent the situation which gave rise to it.

Well, as smart as Senator Simpson is—and he is a smart person. I like to see him on television, particularly when he is talking about why the President didn’t back the Simpson-Bowles Commission on budget reform and fiscal reform. But here is a person who worked 6 years to get it right so we would never have to visit it again, when we had 3 million people who had come here, illegally violating our laws—get it fixed once and for all and thought he did. But I think now he would admit—and I have to admit because I was on the subcommittee—we didn’t get it right. I voted for that.

So now, as I am looking at a group of eight trying to say in the preamble of their working paper: We are going to fix this once and for all, well, you better check that it is not very easy to do that, and you better do it better than we did.

The INS Commissioner at the time in 1986, Alan Nelson, told the committee that the legalization program was “realistic and humane” and said further that “it is clear that this is meant to

be a one-time proposal, and not intended to recur.”

In 1986, the committee report said:

... the solution lies in legalizing the status of aliens who have been present in the United States for several years, recognizing that past failures to enforce the immigration laws have allowed them to enter and to settle here.

Also, according to the report, the committee “... strongly believes that a one-time legalization program is a necessary part of an effective enforcement program and that a generous program is an essential part of any immigration reform legislation.”

In 1986 the Congress passed the Immigration Reform and Control Act. At the time, President Reagan hailed it as the most comprehensive reform of our immigration laws since 1952. He stated that the legislation was a major step toward meeting the challenge to our sovereignty while at the same time preserving and enhancing the Nation’s heritage of legal immigration—a heritage of which we all ought to be proud.

What Congress, the public, and the President did not envision or did not want was another amnesty debate. The American people were told in 1986 that this would be a one-time shot. The incentive to buy in to the argument was the promise of enforcement.

In 1985 Senator Simpson said:

If legalization should occur before more effective enforcement is available, the illegal population is only going to grow very swiftly again, and that will create pressures for additional legalization. And it will not be a one-time only legalization; it will be a continuing series.

Many believed that employer sanctions were the only way to curtail illegal immigration. One committee report stated that “unless employer sanctions are enacted, the Committee is concerned that the situation will continue to worsen.”

In 1985 Senator Metzenbaum of Ohio said:

When push comes to shove, there is only one realistic way that you can stop illegal immigration into this country, and that is by making it illegal and being tough enough that illegal immigrants cannot work in this country.

Knowing what we know now, an immigration reform bill must include tough enforcement measures. We must stop flow at the border. We must expand and enhance legal avenues so that people are not coming here illegally. We must have a strong employment verification program.

Unfortunately, we aren’t enforcing the laws we have on the books today. The American people don’t trust that we will enforce these laws in the future. We provided amnesty overnight in 1986 and didn’t fulfill the other parts of the equation. Border security, enforcement measures, and legal immigration reform need to be the first things on our agenda in 2013.

I chose to talk about this topic today because I believe we can learn from the past. We can learn from our mistakes. This isn’t just about our history, it is

about our future. Today, people in foreign lands want to be a part of this great Nation. We should feel privileged that people love our country and want to become Americans.

We must make sure the decisions we make with regard to our immigration policies follow our longstanding ideals. We want to welcome new Americans, but we need to live by the rules we have set. We cannot let our welcome mat be trampled on or our system of laws be undermined.

Let me end by echoing the words of President Reagan:

Distance does not discourage illegal immigration to the United States from all around the globe. The problem of illegal immigration should not, therefore, be seen as a problem between the United States and its neighbors. Our objective is only to establish a reasonable, fair, orderly, and secure system of immigration into this country and not to discriminate in any way against particular nations or people. Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.

My hope is that we will preserve the value of American citizenship, as President Reagan said. The path we take today will shape our country for years to come. It is my hope that we can find a solution while learning from our mistakes and ensuring that future generations don’t have to revisit this problem down the road.

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

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VIOLENCE AGAINST WOMEN ACT

Mr. CRAPO. Mr. President, I appreciate the opportunity to be here today to highlight my support for a program that is improving life in Idaho and across the Nation—the Violence Against Women Act.

I appreciate joining my colleague Senator LEAHY, who will be here on the floor in a few minutes, to formally open debate on this legislation, and hopefully we will be able to get this over the finish line this year, as it is so critical to so many people in this country.

For nearly two decades, the Violence Against Women Act has been the centerpiece of our Nation’s commitment to ending domestic violence and dating and sexual violence. The Idaho Coalition Against Sexual and Domestic Violence uses vital funds, among many other things, to promote the awareness of healthy relationships in middle and high schools in Idaho. It is heartening to hear that the number of Idaho high

school students reporting that they have experienced dating violence has dropped by 5 percent from 2007 to 2011. However, I am sad to report that since just January 1 of this year, four deaths have occurred in my State from the result of domestic violence. And even one is too many. These tragic events serve as a reminder that while we are improving, we are far from ending this terrible abuse.

I am a lifelong champion of the prevention of domestic violence because I believe that while we are improving, we can and will do better. I stand behind this act as it provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those who are often victims in their own homes. This legislation provides access to legal and social services for survivors. It provides training for law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation’s communities. It provides intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn.

There is significant evidence that these programs are working not just in Idaho but nationwide. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008. In 2012 it was reported that in 1 day alone, 688 women and their children impacted by violence sought safety in an emergency shelter or received counseling, legal advocacy, or children’s support.

While we may not agree on all of the specifics of this reauthorization—and there are portions we will continue to negotiate on and to refine—we all do agree on one very important idea; that is, violence should not happen to anyone. This critical legislation is very effective in helping to address that abuse in our society.

As I said, there are parts of this legislation about which there are still concerns. I am committed, as is Senator LEAHY, to working with those who have concerns to make the bill better and more workable so we can move it through to become law in this session of Congress. But after we debate and after we have worked and refined the legislation, I urge my colleagues to join me in supporting the authorization of this program and to continue the life-changing work this Chamber has been committed to for so many years.

I see my colleague Senator LEAHY is on the Senate floor. I started a little before he got here. I know he is here to open the debate on this legislation. I again thank him for his work on this issue and look forward to working with him in this Congress as we move forward.

Mr. LEAHY. I have enjoyed working with the senior Senator from Idaho. If he wants more time—

Mr. CRAPO. I have concluded my remarks. I yield my time.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 47, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to (S. 47) a bill to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled in the usual form.

The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I thank the senior Senator from Idaho for his comments. He has been not only a stalwart supporter, he actually has been essential in the drafting of this legislation. We all share this concern of finding ways to stop violence against women. I realize different parts of the country have different problems, different stresses. I am pleased to have a western view to go with this eastern view. But also, I think, it is a case of the best legislation in this body, legislation supported by both Democrats and Republicans. When we come together as Senators, things get done.

That is one of the reasons we are turning to this bill, S. 47, the Leahy-Crapo Violence Against Women Reauthorization Act, as one of our first bills. It has bipartisan support. I thank Majority Leader REID for making this unfinished business a priority for the Senate.

Congressional enactment of our strong bipartisan bill to help all victims of domestic and sexual violence is long overdue. Our bill has more than 60 bipartisan Senate cosponsors. I think this week we can finally finish what we started last year by passing the bill in the Senate, sending it to the other body, and having them take it up. I know I am deeply indebted—we all are—to the women and men around the country who have been working with us. They have been steadfast in their commitment to the victims and to our efforts to combat domestic violence, dating violence, stalking, and sexual assault.

There is a pressing need to update the Violence Against Women Act. The Centers for Disease Control and Prevention's 2010 National Intimate Partner and Sexual Violence Survey found that one in four women has been the victim of severe physical domestic violence. One in five women has been

raped in her lifetime. More than half of the homicides in my State of Vermont are related to domestic violence.

Let me emphasize that just a bit. Vermont has one of the lowest crime rates in the country. But when I look at the source of the crime, more than half of the homicides are related to domestic violence. Those percentages are very high in almost every State. That is simply unacceptable. While the Judiciary Committee has been preparing to consider legislation on the subject of gun violence at the end of this month, we can act now, without delay, in the Senate to strengthen the protections of the Violence Against Women Act.

All of the provisions in our bill passed the Senate last year. In fact, 9 months ago the Senate passed the Leahy-Crapo Violence Against Women Reauthorization Act with 68 votes. The Senate often has a hard time coming together with 51 votes, but here we had 68 votes from Members of both parties, across the political spectrum.

Last December we worked out with Senator CORNYN and Senator GRASSLEY additional provisions to amend the Debbie Smith Act, which we passed, to reduce the backlog of untested rape kits in order to provide for additional audits and reporting, and increase the capacity of State and local law enforcement to perform DNA analysis. Those provisions are now incorporated into this VAWA bill.

I hope those few Senators who opposed the bill last year will now join with us to enact VAWA reauthorization. I think we should act quickly and decisively to pass this bill, and send it to the House. I know if it reaches the President's desk, from what he has told me, he will sign it without delay.

Our bill will support the use of techniques proven to identify high-risk cases and prevent domestic violence homicides. It is going to increase VAWA'S focus on sexual assault and push colleges to strengthen their efforts to protect students from domestic and sexual violence. It will allow us to make real progress in addressing the horrifying epidemic of domestic violence in tribal communities. A recent study found almost three in five native women had been assaulted by their spouses or intimate partners.

Our bill will allow services to get to those in the LGBT community who have had trouble accessing services in the past. The Centers for Disease Control and Prevention released a few weeks ago that found the rates of domestic and sexual violence in these communities are equal to or greater than those of the general population. We also have key improvements for immigrant victims of domestic and sexual violence.

I did note when we reintroduced this bill at the outset of this year that we will be pressing the increase of U Visas for those victims who assist law enforcement in the context of comprehensive immigration reform. Last year, the House of Representatives re-

fused to consider the Senate-passed bill because the U Visa provision, while fully offset, was seen technically to affect revenues. We removed it from the bill this year. I don't want this bill to be slowed up because of a technical excuse.

When somebody is being abused, they don't need to hear about technicalities. They want us to stop it, and they want us to expedite action on this bill. I remain strongly committed to the U Visa increase. As I said, I will try to include it in the immigration legislation we will be considering in the next couple of months. The reason I will do that, of course, is it will benefit law enforcement and victims, and we should enact it.

I have said so many times on the floor of the Senate that I remember my days as a prosecutor in Vermont—let me state it this way: I remember going to crime scenes at 2 and 3 o'clock in the morning. I remember seeing people being taken out in an ambulance, barely alive, battered to within an inch of their life. But I especially remember those who did not even get that far, lying on the floor, up against a wall, waiting for the medical examiner to come and pronounce the person dead and allow the police to collect evidence and move them.

During that time no police officer ever said: Is this victim gay or straight? Is this victim an immigrant or Native American? They said, as I have said so many times on the floor: A victim is a victim is a victim. How do we stop this from happening to somebody else? How do we catch the person who did this?

Law enforcement wants tools for after the fact. But even more, they want what we have in here: something to stop the abuse from happening in the first place. Every day we do not pass legislation to prevent this violence and assist victims, people are suffering.

I hope all Senators—Democrats, Republicans, Independents—will join us. I have spoken of Senator CRAPO'S longstanding commitment to victims. But, also, I have spoken often of the support of Senators MIKULSKI and MURKOWSKI and MURRAY and KLOBUCHAR and COONS and COLLINS and SHAHEEN and FRANKEN and HAGAN and CASEY and so many others who have joined to help to shape this legislation and work to pass it. I also appreciate the support and assistance of the National Task Force to End Sexual and Domestic Violence Against Women and its many member organizations whose insight has been so critical.

I thank the Vermont Network Against Domestic and Sexual Violence. I am so proud of them. They have done great work helping victims in Vermont with support from the VAWA programs. They have been a leader in developing and supporting this legislation.

I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a letter organized

by the National Task Force and signed by more than 1,300 local, tribal, and national organizations supporting this important bill.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. LEAHY. Since we first passed the Violence Against Women Act nearly two decades ago, States have strengthened criminal rape statutes, and every State has made stalking a crime. The annual incidence of domestic violence has dropped more than 50 percent. We have something here that has been a success. We have helped to provide victims with critical services, such as housing and legal protection.

We have to remember, these are not just statistics. These are thousands of lives made immeasurably better. I might say because of this work these thousands of lives are still lives; they are not statistics of people murdered. All the provisions in our bill were developed with the help of victims and those who assist them every day. They are commonsense measures. They will help real people. Every prosecutor, every support group—all will tell you it is past time for Congress to enact this bill to provide help for victims of domestic violence and rape.

We can make these concrete, important changes in the law. We can do it this week. I have been involved in this for years, and I have seen the results of what we have done. I have seen the lives that have been made immeasurably better because of what we have done. I have seen the lives that have been saved because of what we have done. There is no excuse to delay further.

EXHIBIT 1

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,

February 4, 2013.

Senator,
U.S. Senate,
Washington, DC.

DEAR SENATOR: We, the undersigned local, tribal, and national organizations, represent and support millions of victims of domestic violence, dating violence, sexual assault and stalking throughout the United States, American Indian Tribes and territories. On behalf of the victims we represent, the professionals who serve them and the communities that sustain them, we ask that you support the Violence Against Women Act's (VAWA) reauthorization by co-sponsoring and voting for S. 47. As you know, VAWA is slated to come to the Senate floor as early as next week and we are asking you to take a leadership role in ensuring that this landmark bi-partisan bill will continue its important work.

VAWA's programs support state, tribal and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against girls and women, boys and men. More victims report domestic violence to the police and the rate of non-

fatal intimate partner violence against women has decreased by 64%. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the frontline response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim services providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly \$12.6 billion in net averted social costs in just its first six years.

VAWA has unquestionably improved the national response to these terrible crimes. Nonetheless, much work remains to be done to address unmet needs and enhance access to protections and services for all victims. We urge you to sponsor and vote for S. 47 in order to build upon VAWA's successes and continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable and to keep victims and their families safe from future harm. Thank you.

Sincerely,

* * *

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I urge my colleagues, as I will do, to support the motion to proceed to the Violence Against Women Act. I expect that many of my Republican colleagues will also vote to proceed to the bill.

There has long been bipartisan support for the Violence Against Women Act. Too many women are victims of domestic violence, sexual assault, stalking, and dating violence. Federal support for services to these women, and sometimes even men, has been beneficial to our country.

There is overwhelming bipartisan support for 98 percent of what is contained in S. 47, so I favor proceeding to the bill and offering limited amendments. We can then have a Senate vote, allow the other body to work its will, resolve any differences between the bills, pass a compromised reauthorization bill through both Houses, and get it to the President.

The process on the Violence Against Women Act in the last Congress was very disappointing. Previously the Violence Against Women Act was reauthorized unanimously. Something similar could have happened again last year, but it didn't. New provisions were brought forth into the bill. Some of the provisions were very controversial. Some provisions even raised serious constitutional concerns, but those on the other side insisted on these provisions without any change and refused to compromise. It appeared that the debate was more about blame and politics than it was about providing help to women in need.

In the last Congress, both the Republican leader and this Senator offered that the Senate consent to striking a provision which violated the Constitution's origination clause, and then proceed to conference. The majority spurned those efforts on both occasions. Yet today S. 47 has removed the very provision which raised the blue-slip problem with the House of Representatives because, as we all know, under the Constitution all bills raising

revenue must start in the House of Representatives. The majority did this only a few months after the majority refused to drop that very same provision and proceed to conference. So this bill could have been to the President last year. The willingness of the majority today to eliminate that very unconstitutional provision demonstrates that we could have had a bill to the President last year. That ought to be a terrible disappointment not only to this Senator but to all the people in the Senate.

It is not true that unless S. 47 is passed exactly as is various groups will be excluded from protections under the law. Would anyone care to know why? Because the current law protects all victims.

Vice President BIDEN wrote the current law. Every Member of the Senate who was a Member of this body when the Violence Against Women Act was last reauthorized voted for that bill. Neither Vice President BIDEN nor any other Senator passed a discriminatory bill then. It is not the case that unless the controversial provisions are accepted exactly as the majority insists without any compromise whatsoever that any groups will be excluded.

The key stumbling block to enacting a bill at this time is the provision concerning Indian tribal courts. That provision raises serious constitutional questions concerning both the sovereignty of tribal courts and the constitutional rights of defendants who would be tried in those courts. We should focus on providing needed services to Native American women. S. 47 makes political statements and expounds on Native American sovereignty. It raises such significant constitutional problems that its passage might actually not accomplish anything at all for Native American women while failing to protect the constitutional rights of other American citizens.

Even the Congressional Research Service has raised constitutional questions with the tribal provisions in this very bill. Negotiations are continuing, and I am quite confident that if we can reach an agreement on these questions, compromises on the other few remaining issues can also be secured and would allow the bill to pass with overwhelming bipartisan support. If we are unable to reach agreement in the next couple of days, then I intend to offer a substitute that is much more likely to be accepted by the House and become law.

In the meantime, for this very day, all we are talking about is getting to this bill so we can discuss these issues. I will vote for the motion to proceed, and I ask my colleagues to do so as well.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I ask for the yeas and nays on the motion to proceed.

The PRESIDING OFFICER. All time has expired.

Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

DEMOCRATIC ANNOUNCEMENTS

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) is necessarily absent.

REPUBLICAN ANNOUNCEMENTS

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Alabama (Mr. SESSIONS), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 8, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—85

Alexander	Fischer	Menendez
Ayotte	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Murkowski
Baucus	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Hagan	Nelson
Blunt	Harkin	Portman
Boozman	Hatch	Pryor
Boxer	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Rockefeller
Cantwell	Hirono	Sanders
Cardin	Hoeven	Schatz
Carper	Inhofe	Schumer
Casey	Johnson (SD)	Shaheen
Chambliss	Johnson (WI)	Shelby
Coats	Kaine	Stabenow
Coburn	King	Tester
Cochran	Kirk	Thune
Collins	Klobuchar	Udall (CO)
Coons	Landrieu	Udall (NM)
Corker	Lautenberg	Warner
Cornyn	Leahy	Warren
Crapo	Levin	Whitehouse
Donnelly	Manchin	Wicker
Durbin	McCain	Wyden
Enzi	McCasikill	
Feinstein	McConnell	

NAYS—8

Cruz	Paul	Rubio
Johanns	Risch	Scott
Lee	Roberts	

NOT VOTING—6

Begich	Moran	Toomey
Isakson	Sessions	Vitter

The motion was agreed to.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. The Senator from Louisiana.

MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CONGRATULATING NEW ORLEANS

Ms. LANDRIEU. I know Senator HARKIN is on the floor with others to present several new pieces of legislation or to speak on items pending. I wanted to take a moment of personal privilege to say just a few words about the spectacular sporting event that took place in our country yesterday in the city of New Orleans. I want to, of course, congratulate the Baltimore Ravens, the Senators from Maryland, particularly Senator MIKULSKI and Senator CARDIN, and Governor O'Malley, who was there, of course, representing Maryland; the Senators from San Francisco and California, the 49ers, Senators FEINSTEIN and BOXER, former Speaker PELOSI was with us yesterday in New Orleans, and thousands of fans from all over the world and, of course, watching on television.

I wanted to make a note on this floor, not because it was just a sporting event, although it was one of the highest watched Super Bowls ever in the history of the game, but because of the role this Congress played and the administration in helping this great city and region and State rebound from what was a devastating body blow 7½ years ago with Hurricane Katrina and then Rita hit 3 weeks later and then the levees broke in over 52 places. The city went virtually underwater—at least two-thirds of the city.

To see, 7½ years later, the city rebound, the people of New Orleans and Louisiana are just foremost in my thoughts right now for their fighting spirit, their resiliency, their unwillingness to give up on this special place that will celebrate its 300th birthday in 2018. I want to say a special thank-you to Mayor Landrieu, John Young, president of Jefferson Parish, the leaders of St. Bernard and Plaquemines Parish. Those parishes were virtually destroyed, the lower part of Jefferson Parish. The whole region has come back. The world could see it for themselves yesterday—the civic leadership, the faith-based leadership. Again, a shout out to President Obama, his Cabinet and the Members on both sides of

the aisle who stood by this region, the gulf coast, to rebuild after all these years.

In conclusion, it is my only hope that after passing the Sandy supplemental, we will stand united with the Northeast as they rebuild bigger, better, stronger, hosting the next Super Bowl which is a real symbol of resurgence and rebuilding and resurrection.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

TWENTIETH ANNIVERSARY OF FMLA

Mr. HARKIN. Mr. President, this week is a milestone for working families across America. Twenty years ago this week, President Bill Clinton signed into law the Family and Medical Leave Act. There are many laws we pass in Washington that most Americans never have reason to know or care about. The FMLA, by contrast, has changed this country in profoundly important ways.

It has touched the lives of millions of working families. It is almost hard to imagine today, but 20 years ago before this landmark law, workers had to risk their jobs and livelihoods when family needs arose. There was no national policy for maternity leave or paternity leave. New mothers were sometimes compelled to return to work just days after giving birth or to quit jobs they would otherwise have liked to keep.

There was no law allowing someone to take leave from work to care for an aging, potentially dying parent or to care for a child with a serious illness. Families had to leave their loved ones in the hands of others or quit their jobs and face dire economic consequences. There was no policy to allow a seriously ill worker to return to work after recovering from cancer or other serious health condition. All these workers risked being fired, having no job to return to, and losing their health insurance as well.

Countless hard-working Americans were forced to make wrenching choices between their or their family's health and their economic well-being.

The passage of the Family and Medical Leave Act changed all that. It has helped new parents bond with their children during those first magical few weeks of life. It has helped to give workers struggling with a difficult diagnosis the time and security they need to recover. It has allowed loving family members to care for relatives with disabilities and elderly parents.

It has ensured that family members of our wounded warriors can be there to help their heroes recover. Just as important, it has helped countless businesses across the country retain good workers and maintain an experienced and dedicated workforce.

The FMLA has been an unqualified success. It has made a real difference in the lives of millions of hard-working Americans. In fact, the FMLA has been

used more than 100 million times since its passage 20 years ago.

To be sure, the legislative path to the Family and Medical Leave Act was not easy nor quick. In the Senate, Senator Chris Dodd was the tireless champion of the Family and Medical Leave Act. From the time of its first introduction in 1986 to its final passage in 1993, we would not have the Family and Medical Leave Act without Senator Chris Dodd. He held multiple subcommittee hearings across the country, hearing from dozens of witnesses. He led the bill through multiple committee markups and led the floor fight year after year after year. He worked to override two Presidential vetoes and shepherded it to its final passage in 1993, after which it became the first law signed by a new President, President Bill Clinton.

Senator Dodd found a partner in Senator Kit Bond from Missouri, whose strong interest in shoring up the American family led him to work with Senator Dodd on a bipartisan compromise proposal that would garner significant political support in both political parties. As Senator Bond said upon introducing the final version of the bill in 1993:

I believe the single most important step we can take to help all families in America is to try to reestablish individual and family responsibility. To do that, we as a society need to make family obligation something we encourage rather than discourage. That is why I believe we should enact the Family and Medical Leave Act.

Their bipartisan efforts have reaped huge rewards.

My office has heard from people around the country who have benefited from the Family and Medical Leave Act.

The Family and Medical Leave Act meant that Kimberly Jones of Wisconsin was able to help her developmentally challenged son, David, during a critical time. After years of struggling socially and in school, after a misdiagnosis that led to medications that made him worse, David finally received the correct diagnosis of Asperger's syndrome, which allowed him to get the right care and the appropriate treatment. The FMLA allowed Kim to take 12 weeks off from work so she could be with her son, David, to advocate for him, seek out professionals, learn how to help him, and support him through detoxification from his previous medications.

Thanks to the FMLA, Kim was able to get David situated and take the time to do what was best for him. Kim says parents shouldn't have to lose their jobs to do what is best for their children. She adds that children and families are in a better place because of the Family and Medical Leave Act.

Tonya Pinkston from Atlanta, GA, was diagnosed with lupus in 2009, but she was allowed only 3 sick days a year. As the sole earner in her household with her parents and daughter, she absolutely had to keep her job. Her boss suggested the Family and Medical

Leave Act. Later, when her lupus flared, she was able to take leave for 4 weeks to allow her 1 week in the hospital and recuperation at home.

Without the Family and Medical Leave Act, Tonya would have been fired for missing so much time and she probably would have had to go on unemployment insurance. Tonya thanks God for the FMLA and feels fortunate that President Bill Clinton signed it and it was there when she needed it.

Right now at a Baltimore hospital, Michelle Marrocco is using FMLA leave to care for her son, Brendan, a wounded warrior injured while serving in the Army in Iraq in 2009. Brendan is the first surviving quadruple amputee and has already faced challenges few of us can imagine. In December, he underwent a double-arm transplant. It has been widely reported in the news media. Brendan will need years of rehabilitation and occupational therapy.

When Brendan was originally injured, Michelle's employer at the time voluntarily paid for 3 months of leave. Michelle's current employer adheres to the FMLA, allowing her up to 12 weeks of unpaid leave to care for Brendan following his transplants.

She expects to take 2 months of leave, followed by intermittent leave to be with her son once a week. Without the FMLA, Michelle would have had to quit her job. With the FMLA, she knows she doesn't have to worry about her job, which is a huge relief for her. The lack of income is a big concern, but it is something she and her husband will worry about later. Thanks to new regulations from the Department of Labor, Michelle will be able to take advantage of a new provision of the Family and Medical Leave Act, allowing up to 26 weeks of leave for the families of veterans injured in the line of duty.

The Family and Medical Leave Act is one of our Nation's most important laws. That is why I will introduce this week a resolution honoring the FMLA and the leaders who made the FMLA a reality.

There are so many. I mentioned those who were here in the Senate; there were those in the House who also helped shepherd this through. I would mention, of course, Connie Morella, a former Congresswoman who was so active in the bill.

I would mention also GEORGE MILLER, Congressman GEORGE MILLER, and Congresswoman ROSA DELAURIO, who worked so hard to get this passed in the House. There were people on the outside, Judy Lichtman, in 1993, was the head of something called the Women's Legal Defense Fund. She and her colleague Donna Lenhoff played absolutely critical roles in getting the FMLA written, introduced, and across the finish line. I wanted to mention those heroes who worked so hard for this important bill.

There is still more work to do to ensure that families are fully able to meet their family responsibilities as well as maintain economic security.

Today, workers are ineligible to take FMLA for a variety of reasons. Some workers do not have enough tenure with their current employer, even if they have been in the workforce for years.

The FMLA requires 1 year of service, but in today's economy, workers more frequently change jobs and, of course, family emergencies happen without warning. Other workers are not able to accumulate the required 1,250 hours of work with a single employer in the preceding year. With the growth in part-time work, both by choice and by necessity, more workers may be ineligible for FMLA even though they are long-term dedicated employees. Millions of people work in businesses with fewer than 50 employees, which means their employer is not covered by the FMLA and does not have to offer that kind of leave.

This also makes it harder for smaller businesses to recruit the best employees because they are not on a level playing field with larger companies that must provide leave and where workers have come to expect it.

Still other workers are excluded from the law because of the nature of their relationship with a loved one. Workers may only take FMLA to care for their minor child, parents or spouses. Under certain circumstances, parents may care for their adult child with a disability. This excludes siblings, grandchildren and grandparents, domestic partners of the same or opposite sex, in-laws, cousins, and everyone else.

That is why the Family and Medical Leave Inclusion Act sponsored by Senator DURBIN is so important. This bill will expand and modernize the definition of family to include many currently excluded relationships. Too many workers will otherwise have no one eligible to care for them in a time of need or the person they rely on most will not be recognized as their family for purposes of the FMLA. This is a commonsense change we can and must accomplish.

One of the most common and critical challenges faced by families is the loss of income while taking unpaid FMLA leave. This obliges parents to cut short maternity and paternity leave. It forces cancer patients to work as much as possible, rather than taking time to fully recuperate or, worse, to forgo leave altogether. Still others are financially devastated when they have no choice but to take unpaid leave.

We cannot allow family responsibilities to jeopardize families' economic security. A social insurance program to provide some wage replacement during family and medical leave would allow families to maintain their economic security while seeing to their families. Research shows this could be done on a universal basis with very small, shared contributions by workers and their employers. Two States, New Jersey and California, have already implemented such paid leave systems, helping families in those States to be financially secure during family and medical leave.

Today is the day to honor the efforts of so many whose work led to the passage and signing of the Family and Medical Leave Act 20 years ago. This is a time to reflect on how transformative the Family and Medical Leave Act has been for our society. It is also time to look ahead to additional ways we can support families and allow them to stay strong, mutually supportive, and economically secure.

I look forward to future work to expand and strengthen the protections of the Family and Medical Leave Act.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to thank my colleague Senator HARKIN for his leadership on the Family and Medical Leave Act, along with my predecessor Chris Dodd's very strong dedication to this cause and the historic difference he and Senator HARKIN have made on a truly transformative measure for the United States of America. The Family and Medical Leave Act has made a difference in so many lives and shaped so many futures for the better in our Nation. I will be honored to join his resolution and to support Senator DURBIN's Family and Medical Leave Inclusion Act and simply offer my thanks to him on behalf of Connecticut as well as the country for his leadership on this issue.

This measure is about human beings and the values that define us and make us great as a nation, the greatest Nation in the history of the world.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. BLUMENTHAL. Mr. President, the measure we have approved today to move forward, the Violence Against Women Act, so far as it defines us, states our values and articulates the vision we see of our Nation as caring for people who are victims of domestic abuse and sexual assault. I am proud of my colleagues for approving this measure today to go forward by an overwhelming bipartisan vote, 85 to 8.

I hope this day will be followed by final passage here and then in the House of Representatives, avoiding the fate that befell it during the last session, when I similarly supported this measure to reauthorize and strengthen a bill that has served us well for 18 years. It served us well in addressing a problem that is as horrific and heinous as any that afflicts our society, domestic violence and sexual assault, shapes futures and transforms lives for the worse, unless they are followed by the service and law enforcement that VAWA provides. VAWA is about the organizations that provide those services and need the support in Connecticut and around the country, organizations in Connecticut that provide services to 54,000 victims of domestic violence and sexual assault every year. In our State alone, \$4 million provides those critical services to men and women and chil-

dren so they can survive and even thrive after domestic assault. We have made great strides on this problem, but there is great work still to be done. We cannot be complacent or overconfident. We cannot be self-satisfied. We must press ahead with VAWA, and that is why today's passage is so important—at least the passage of the motion to proceed.

Groups and organizations in Connecticut and across the nation report to me about critical staff shortages, resources they need to respond to the hundreds of thousands of women every year who face these problems, and the protection they provide to children as well as women who are victims of this crime.

I have been very privileged to join with Interval House in an effort called Men Against Domestic Violence. Men make a difference. They are potential role models, and we have tried to provide those role models to go into schools and provide education—a group of men who are educators, police, and other kinds of leaders in their communities, in business. We helped to start this effort through Interval House, our major domestic shelter in the State. This is only a small example of how these efforts can have a ripple effect through VAWA.

We need to not only renew our commitment to end domestic violence but also to update and strengthen and expand the Violence Against Women Act. I am pleased to join my colleague Senator PORTMAN in offering an amendment that strengthens services for children and youth victims of sex trafficking. Yes, sex trafficking and human trafficking continue to exist in this Nation. It is sometimes invisible, unknown, one of the most heinous crimes imaginable—modern-day slavery, unspeakable indenture of children. We need to do more to ensure that children in our communities who are victims of sex trafficking have access to the life-saving services that are available to other youth victims of domestic violence or sexual assault.

We can make sure agencies and organizations that provide these services access grant funding available for this purpose. Again, this goal ought to be bipartisan, and it is with Senator PORTMAN and myself on this amendment. I hope my colleagues will support it.

Vulnerable communities ought to receive the same kind of protection through VAWA even though they are now overlooked by existing law, and those protections should be expanded. We have an obligation to ensure that all victims of domestic violence, regardless of their sexual orientation or gender identification, are covered by this law. So this legislation contains protection for gay, lesbian, bisexual, and transgender Americans. The LGBT community ought to know it is covered in the same way as every other part of our population, even though they face discrimination that prevents them

from accessing those victim services now.

In fact, a recent survey found that 45 percent of LGBT victims were turned away when they sought help from a violence center. That is simply unacceptable. So this legislation will make sure they have access to these services and also make great improvements in the law enforcement tools available to Native American communities.

Our Nation's tribal communities are literally facing an epidemic of domestic violence and sexual assault. Nearly three out of five Native American women are assaulted by their spouses or intimate partners, and one-third of all Native American women will be raped during their lifetime. I know those statistics are hard to grasp. They seem incredible. Three out of five Native American women are assaulted by their spouses or intimate partners. One-third of all Native American women will be raped during their lifetime.

I wish they were wrong. I would be happy to be corrected. But those numbers tell a searing and unacceptable truth about our Nation. Tribal courts currently cannot prosecute domestic violence crimes against Native American women that are committed on tribal lands by a non-Native American. S. 47 closes that loophole so that all Native American women will have access to justice.

Finally, the 2000 reauthorization of VAWA contained landmark provisions to protect immigrant victims of domestic violence, and S. 47 significantly maintains and expands those provisions, sending a strong message that immigrant women deserve the full protection of the law, the full measure of American justice. It is the reason they have come to this country, the reason that millions of immigrants come to this country, the reason we are a nation of immigrants and strong because of the diversity and the talent they bring to this Nation. We must guarantee justice to immigrant women.

I am still frustrated and disappointed the last Congress did not approve VAWA; that this measure was stalled in the House of Representatives despite a similarly bipartisan vote in this body to approve it. I hope this year the vote in this body will be a prelude to bipartisan approaches on this measure and others where basic human values are at stake; that there will be no stalling again; that this measure will proceed in the House on a similarly bipartisan basis.

An inclusive bipartisan VAWA should not be postponed. Time is not on the side of victims. They need these services. Law enforcement needs the support to make sure anyone committing domestic violence or sexual assault in this country is held responsible and accountable, and that we send that message to women and children throughout this country.

Mr. President, I yield the floor.

TOBACCO CONTROL ACCOMPLISHMENTS AND TOBACCO TAX PARITY ACT

Mr. DURBIN. Mr. President, last week I was joined by Senators LAUTENBERG and BLUMENTHAL to introduce the Tobacco Tax Parity Act, a bill aimed at closing loopholes in how tobacco products are taxed and reducing the incidence of tobacco use.

It wasn't that long ago when it was common to smoke in offices, airplanes, elevators or even here in congressional hearings. We have made progress since the landmark 1964 Surgeon General's Report showing the negative effects of smoking on health, but there are plenty of signs that the fight continues to protect future generations from suffering the terrible effects of tobacco.

According to a Surgeon General's Report issued in March 2012, tobacco use among youth is a "pediatric epidemic" and is the No. 1 cause of preventable and premature death in this country. Every year, tobacco products account for 443,000—or 1 out of 5—deaths. The report also found that every day, 1,000 young people become new regular smokers and, of these new smokers, one-third will eventually die from tobacco-related causes.

While our Nation pays the physical and financial burden of tobacco use through \$96 billion in annual medical costs and \$97 billion in lost productivity due to premature death, tobacco companies invent new ways to generate profits and entice young people to pick up this deadly habit.

In 2009, the Children's Health Insurance Program Reauthorization Act increased the Federal tax rate on cigarettes and set the tax rate for small cigars and roll-your-own cigarettes at the same level as cigarettes. Cigars, smokeless tobacco, pipe tobacco, and nicotine candies, however, remain at dramatically lower tax rates than cigarettes making them a cheap source of tobacco, particularly among young people. While cigarettes, roll-your-own, and little cigars are taxed about \$1 for a pack of 20 cigarettes, pipe tobacco is only taxed 11 cents for what adds up to 20 cigarettes, a pouch of chewing tobacco is only taxed 9 cents, and a 12-pack can of nicotine tablets or lozenges is taxed less than 1 cent. Not surprisingly, as the tax for cigarettes has increased, cigarette sales dropped and the sales of undertaxed tobacco products went up.

This difference in tax rates doesn't make sense, and we are already seeing tobacco manufacturers abusing them by changing the labels on their products to avoid paying the higher tax. For instance, to avoid paying the higher tax on loose roll-your-own tobacco, some manufacturers simply change the label on that product to pipe tobacco. There are stores popping up across the country, including in Illinois, that allow people to buy undertaxed pipe tobacco or cigarette tobacco intentionally mislabeled as pipe tobacco and rent time on a cigarette making ma-

chine where customers can make 200 cigarettes in 8 minutes and not pay the \$10 Federal cigarette tax.

A report released by the Government Accountability Office last year found that the difference in tax rates creates opportunities for tax avoidance and encourages consumers to use products with a lower tax. For instance, the monthly sales of pipe tobacco in September 2011 increased by over 1,200 percent compared to January 2009, while the monthly sales for roll-your-own tobacco dropped 600 percent. Over \$1.4 billion in State and Federal revenue has already been lost due to manufacturers relabeling and selling roll-your-own tobacco as pipe tobacco.

The Tobacco Tax Equity Act will end the exploitation of these tax loopholes by taxing all tobacco products at the same level as cigarettes. Through this legislation roll-your-own tobacco and pipe tobacco would be taxed at the same level of \$1 for 20 cigarettes worth of tobacco. It would also raise the tax on a package of smokeless tobacco from 11 cents or less to \$1—the same as a packet of cigarettes. The same goes for cigars, which are currently taxed no more than 46 cents per a cigar. As new tobacco products come onto the market, this bill ensures that any product defined as a tobacco product by the FDA is taxed at a level equivalent with cigarettes.

According to an estimate by the Joint Committee on Taxation, closing these loopholes will generate \$3.6 billion over the next 10 years. But closing the loophole will not only generate much needed revenue and prevent manufacturers from gaming the system, it will protect children and teens from picking up this dangerous habit. I urge my colleagues to support this important legislation.

ADDITIONAL STATEMENTS

TAFT UNION HIGH SCHOOL

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in saluting and commending Ryan Heber, Kim Fields and Mary Murphy, three educators who risked their lives to protect students in Taft, CA.

On Thursday, January 10—less than 4 weeks after the horrific massacre at Sandy Hook Elementary School—a student armed with a shotgun opened fire in a classroom at Taft Union High School and wounded two of his classmates. Today, one student remains hospitalized, recovering from his injuries.

This was a tragic attack, and it is terrifying to think that it could have been even worse had it not been for the brave, swift actions of Taft science teacher Ryan Heber and campus supervisors Kim Fields and Mary Murphy.

When the shooting started, Mr. Heber responded immediately. After ushering his other students out of harm's way, he began talking the shooter into ceas-

ing his attack. Ms. Fields, who rushed to the classroom when she heard gunfire, joined Mr. Heber in persuading the attacker to put down his gun and surrender to police when they arrived on the scene. Meanwhile, Ms. Murphy stayed calm and made sure that students quickly and safely evacuated the classroom.

Like their teacher and supervisors, the students at Taft were also very brave. They stayed calm and followed school safety measures. I commend these young people and the first responders who swiftly responded to the call for help.

The students, faculty, and staff deserve our support in the days and years ahead, and they deserve our action to help curb gun violence and ensure safety at our schools in Taft and across the country.●

TRIBUTE TO AARON MANKIN

• Mr. BOOZMAN. Mr. President, having served on the Rogers School Board, I understand how important the Wall of Distinction is to the school district and the community. This honor highlights the accomplishments of a wide array of people who have proven their commitment to upholding and sharing the values of Rogers.

I can't think of a better person who fits this description than Aaron Mankin.

I have known the Mankin family for much of my life. I grew up with Aaron's dad. Aaron grew up with my three daughters. Our families have a long history together.

Aaron's love for his country led him to join the Marine Corps in 2003, where he served as a combat correspondent. In 2005 he deployed to Iraq, risking his life to protect the interests of his country. I had the opportunity to visit with him during a trip to Iraq. Just a few weeks later, his life changed forever. He suffered intense burns and major lung damage when the armored vehicle he was riding in ran over a land mine in Northern Iraq. Aaron was sent to Brooke Army Medical Center in San Antonio and placed in the ICU. The damage to his lungs was so extensive that he was placed on a ventilator. He had third-degree burns on his arms and had to have his thumb and two-thirds of his index finger on his right hand amputated.

I have visited with Aaron on several occasions since his devastating injuries and heard him share his experiences. He is one of my heroes, and I am always moved personally regarding my own efforts after seeing how he has fought through his adversity.

Aaron has faced many challenges, but his contagious enthusiasm for life has opened many doors, and I am confident those opportunities will continue. Many programs have benefited Aaron along his path to recovery, and he has shown his appreciation by becoming a champion and spokesperson for UCLA's Operation Mend and the Intrepid Fallen Heroes Fund.

He has a long list of accomplishments and awards, including earning the Purple Heart and the Navy Achievement Medal with Combat Distinguishing Device for Valor. In addition, he was named as one of People Magazine's Heroes of the Year and a 2011 recipient of the Veterans Leadership Award presented by the Iraq and Afghanistan Veterans of America. The next year, Secretary of Defense Leon Panetta invited Aaron to discuss matters affecting wounded veterans.

He has taken his pain and suffering and turned it into a model of perseverance that is helping other soldiers and veterans heal from the pain of battle.

Aaron, we are proud of your visionary leadership and all of your accomplishments. You have always maintained an optimistic attitude and a determination that can be an example to us all. We are excited to see what your future holds, and we are proud to call you a son of Rogers, Arkansas. ●

REMEMBERING GORDON MANSFIELD

● Mr. KIRK. Mr. President, today I rise to honor the legacy of former VA Deputy Secretary Gordon Mansfield; a combat veteran, friend, and tireless advocate for our veterans. He passed away last week. Over the course of his distinguished career Gordon served his nation, its veterans, and those persevering through disabilities. He will be missed but his legacy remembered.

Like many in his generation, Gordon enlisted and served in Vietnam. During the Tet Offensive, while on his second combat tour, Gordon was wounded and sustained a spinal cord injury. He was awarded the Bronze Star, two Purple Hearts, the Combat Infantryman's Badge, and Presidential Unit Citation. While recovering from his injuries, Gordon earned his law degree, and upon moving back to Florida, began practicing law. He served as a counsel in a legal aid program devoted to assisting his fellow veterans.

From 1981 to 1989, Gordon served as the executive director of the Paralyzed Veterans of America, advocating for disabled veterans' interests on a national level. His work at PVA was instrumental in standing up the U.S. Court of Appeals for Veterans Claims as well as shaping landmark disabilities advocacy legislation. In 1989, Gordon joined the Department of Housing and Urban Development, and served as President George H.W. Bush's Assistant Secretary for Fair Housing and Equal Opportunity. There he served as a strong advocate for accessible housing.

In 2001, Gordon once again answered the call to help veterans, joining Secretary Anthony Principi as the Assistant Secretary for Congressional and Legislative Affairs at the Department of Veterans Affairs. In 2004, he became the Deputy Secretary and Chief Operating Officer, and served as Acting Secretary in 2007. During his time at the

VA, Gordon oversaw the implementation of the post-9/11 GI bill and many other major transformation initiatives.

I worked closely with Gordon to establish the Captain James A. Lovell Federal Health Care Center in North Chicago, the Nation's first fully integrated Department of Defense-VA medical center. Only a few years before, a Washington consulting company recommended the closure of the North Chicago VA. Instead, the idea behind the Lovell FHCC was born.

Working with Gordon was a privilege, and through his dedication to this effort, we succeeded. Today, over 100,000 veterans, military servicemembers, and their families have access to state-of-the-art health care at the Lovell FHCC.

It is for this, and his many other accomplishments, that we thank and honor Gordon Mansfield for his service to this Nation. ●

RHODE ISLAND'S MARINE ECONOMY

● Mr. WHITEHOUSE. Mr. President, today I wish to pay tribute to one of my State's great traditions and to a wonderful man. The Herreshoff Marine Museum, founded in 1971, preserves today the history of one of our State's most important economic and design legacies, the Herreshoff boat building company of Bristol.

Early Rhode Island settlers took advantage of the State's location on the Narragansett Bay to foster one of Colonial America's most successful marine economies. Newport, RI, was the Colonies' fifth most prosperous commercial center, in part because of its port activity. Since that time, Rhode Islanders have sustained the State's maritime tradition, excelling in boatbuilding, fishing, shipping, port operation, energy exploration, and marine biology.

The marine trades continue to play a pivotal economic development role in our State today; as many other sectors in Rhode Island struggle to rebound from the recent recession, our marine industry is actually expanding. The Rhode Island Marine Trade Association reports that this industry supports over 6,600 Rhode Island jobs, paying almost \$260 million in wages to Rhode Island workers—and almost 10 percent of private employers in the State are associated with the boating industry.

The Herreshoff family helped shape Rhode Island's maritime legacy. In 1878, John Brown Herreshoff and his brother Nathanael Greene Herreshoff more commonly known as "Captain Nat"—joined forces to form the Herreshoff Manufacturing Company in Bristol, RI. Known for innovative design, superior skills, and efficient manufacturing, the Herreshoff Manufacturing Company quickly became a national leader in the boatbuilding industry. The brothers developed a lighter, faster version of the steam generator boiler, which allowed steamboats to op-

erate at a much higher speed than previously possible. Indeed, Herreshoff built the fastest boats on the water, both steam and sail. Between 1893 and 1920, five of Nathanael Greene Herreshoff's custom-designed racing sloops were chosen to sail in the prestigious America's Cup, and all five emerged as victors.

Notwithstanding these sea-going champions, the Herreshoffs' most acclaimed boat design is arguably the smaller S class. Nathanael Greene Herreshoff first designed the S boat in 1919, and the company built 95 boats before halting production in 1941. So well designed and built are they, that many S boats are still racing today.

It is no wonder the S boat has held up so well. The boat shows speed and agility under all conditions, and its engineering is considered one of the most groundbreaking undertakings in boatbuilding history. The S boat was particularly well suited for the coastal waters of Rhode Island: comfortable for easy day sailing; fast when racing hard. Its deep keel and hull shape made the boat steady in the strong ocean breeze that characterizes summer afternoons on Narragansett Bay, but on mild days its vast mainsail catches the lightest zephyr. The S boat boasted a keel with a high aspect ratio, and a high ballast-to-displacement ratio, allowing for a stiffer boat. Although these features were unusual for the 1900s, other boat designers quickly adopted them after the great success of the S boat became apparent. The S boat transom became a common sight for other sailors.

Ninety-five years after the first S boat splashed into Bristol Harbor at the Herreshoff boatyard, the fleet is active and growing, with boats being restored to join the class. This success and growth is much thanks to fleet commodore Fred Roy. Fred brought bouyant enthusiasm and cheerfulness to the Narragansett Bay Herreshoff S Class Association, and the association and all who love our bay and its special sailing traditions join in appreciation of Fred Roy. Fred has brought the spirit of the S boat, rail down and surging forward, to this part of our ongoing history and maritime culture, and I take this opportunity to thank and salute him, and celebrate this tradition of Narragansett Bay. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13396 ON FEBRUARY 7, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—PM 1

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 declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2013.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. Since the inauguration of President Alassane Ouattara in May 2011, the Government of Côte d'Ivoire has made progress in advancing democratic freedoms and economic development. While the Government of Côte d'Ivoire and its people continue to make progress towards peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.
THE WHITE HOUSE, February 4, 2013.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on February 1, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr.

HARRIS) had signed the following enrolled bill:

H. R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bill was signed on February 4, 2013, during the adjournment of the Senate, by the President pro tempore (Mr. LEAHY).

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 201. A bill to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

S. 204. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 209. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-264. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certified Business Enterprise Expenditures of Public-Private Development Construction Projects for Fiscal Year 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-265. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-535, "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-266. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-536, "Hire Date Reporting Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-267. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-537, "Fiscal Year 2013 Budget Support Technical Clarification Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-268. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-538, "School-Based Enrichment Programs Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-269. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-539, "Office of the Chief Financial Officer Audit Report Transparency Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-270. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-546, "Health Benefits Plan Members Bill of Rights Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-271. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-547, "Uniform Real Property Transfer on Death Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-272. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-548, "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013-2018 Authorization Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-273. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-549, "Medicaid Fraud Enforcement and Recovery Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-274. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-550, "Judicial Adjudication of Parentage Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-275. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-551, "District Department of Transportation Bicycle Sharing Fund Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-276. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-552, "Public Vehicle-for-Hire Educational Services Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-277. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-553, "Local Rent Supplement Program Voucher Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-278. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-554, "NoMA Residential Development Tax Abatement Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-279. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-555, "Closing of a Public Alley in Square N-515, S.O. 12-02073, Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-280. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-559, "District of Columbia Flag Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-281. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 19-560, "Water Quality Assurance Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-282. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-561, "District Department of Transportation Accessible Vehicles Fund Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-283. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-562, "Energy Innovation and Savings Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-284. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-563, "Alternative Service of Process Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-285. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-564, "Good Samaritan Overdose Prevention Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-286. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-565, "Department of Motor Vehicles Reciprocity Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-287. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-573, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-288. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-574, "Streetscape Reconstruction Second Temporary Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-289. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-575, "Phebbie Scott Way Designation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-290. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-578, "911 Purity Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-291. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-579, "Senator Charles H. Percy Plaza Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-292. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-580, "Albert 'Butch' Hopkins Way Designation Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-293. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-588, "UDC Board Meeting Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

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 Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 208. A bill to require the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in residential areas in Los Angeles County, California; to the Committee on Commerce, Science, and Transportation.

By Mr. PAUL (for himself, Mr. VITTER, Mr. CRUZ, Ms. AYOTTE, Mr. BARRASSO, Mr. BEGICH, Mr. BOOZMAN, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. ENZI, Mr. GRASSLEY, Mr. HELLER, Mr. LEE, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. CORNYN, and Mr. TOOMEY):

S. 209. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; read the first time.

By Mr. HELLER (for himself and Mr. TESTER):

S. 210. A bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. LEE):

S. 211. A bill to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 212. A bill to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi; to the Committee on Environment and Public Works.

By Mr. HELLER:

S. 213. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mr. DURBIN, Mr. FRANKEN, and Mr. JOHNSON of South Dakota):

S. 214. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market; to the Committee on the Judiciary.

By Mr. CORKER (for himself and Mr. VITTER):

S. 215. A bill to ensure that the Federal Reserve conducts its policies to ensure long-term price stability and a low rate of inflation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LAUTENBERG (for himself, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. MENENDEZ, and Mr. WYDEN):

S. 216. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mrs. BOXER, Mr. CARDIN, Mr. BEGICH, and Mr. WYDEN):

S. 217. A bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself, Mr. ISAKSON, Mr. BLUMENTHAL, Mr. CHAMBLISS, Ms. LANDRIEU, Mr. PORTMAN, Ms. STABENOW, Mr. JOHNSON of Wisconsin, Mr. BLUNT, Mr. COONS, Mr. ROBERTS, Mr. WARNER, Mr. BROWN, Mr. HATCH, Mr. FRANKEN, Mr. GRAHAM, Mr. MERKLEY, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. COBURN, Mr. CASEY, Mr. WYDEN, Mr. KIRK, Mr. CORNYN, Mrs. GILLIBRAND, Mr. BEGICH, Mr. CARDIN, Ms. COLLINS, and Mrs. BOXER):

S. 218. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Environment and Public Works.

By Mr. CASEY:

S. 219. A bill to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 220. A bill to create a Citrus Disease Research and Developing Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Finance.

By Ms. AYOTTE:

S. 221. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to permit eligible fishermen to approve certain limited access privilege programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of New Mexico (for himself, Mr. HEINRICH, Mr. UDALL of Colorado, and Mr. BENNETT):

S. 222. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI (for herself and Mr. KIRK):

S. 223. A bill to amend section 217 of the Immigration and Nationality Act to modify the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 224. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 225. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself, Mr. BEGICH, Mrs. McCASKILL, and Mr. BLUMENTHAL):

S. 226. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Ms. MIKULSKI, Mr. GRAHAM, Mrs. SHAHEEN, Mr. CASEY, Mr. WHITEHOUSE, Mr. CARDIN, Ms. KLOBUCHAR, Mr. REED, Mr. LAUTENBERG, Mr. DURBIN, Mr. MURPHY, Mr. NELSON, Mrs. FEINSTEIN, Mrs. BOXER, Mr. MENENDEZ, Mr. SCHUMER, and Mr. PAUL):

S. 227. A bill to authorize the transfer of certain funds to improve security at United

States embassies and other diplomatic facilities worldwide, and for other purposes; considered and passed.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 228. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. PORTMAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 43

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 43, a bill to require that any debt limit increase be balanced by equal spending cuts of the next decade.

S. 47

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 56

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 56, a bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance.

S. 82

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 82, a bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 109

At the request of Mr. VITTER, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors 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 West Virginia (Mr. ROCKEFELLER) 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. 114

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 123

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 123, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 128

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 128, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 153

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 157

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 157, a bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) 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. 177

At the request of Mr. CRUZ, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

S. 183

At the request of Mrs. MCCASKILL, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from North Carolina (Mr. BURR) were added

as cosponsors of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 190

At the request of Mr. JOHANNES, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 190, a bill to prohibit the use of Federal funds for certain activities of the National Labor Relation Board and the Consumer Financial Protection Bureau.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 200

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 200, a bill to amend title 38, United States Code, to authorize the interment in national cemeteries under the control of the National Cemetery Administration of individuals who served in combat support of the Armed Forces in the Kingdom of Laos between February 28, 1961, and May 15, 1975, and for other purposes.

S. 204

At the request of Mr. PAUL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 207

At the request of Mr. INHOFE, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 207, a bill to restrict the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

S. RES. 24

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 24, a resolution commemorating the 10-year anniversary of the loss of the Space Shuttle Columbia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 208. A bill to require the Federal Aviation Administration to prescribe regulations to reduce helicopter noise pollution in residential areas in Los Angeles County, California; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Los Angeles Residential Helicopter Noise Relief Act of 2013.

This legislation, which I introduce with Senator BOXER, would require the

Federal Aviation Administration to prescribe regulations for helicopter operations in the skies above Los Angeles in order to reduce helicopter noise pollution in residential areas.

In addition to addressing noise, the FAA's regulations would have to increase safety, minimize commercial aircraft delays, and exempt first responders and military aircraft from their limitations.

The bill also would direct the FAA to consult with local communities and local helicopter operators when developing the regulations.

This legislation is necessary because today the citizens of Los Angeles County suffer intrusive and disruptive low-flying helicopter traffic above their neighborhoods to an unprecedented degree.

The unique terrain of Los Angeles, with its many canyons and valleys, often concentrates the high decibel level noise from low-flying helicopters on many of the millions of homes in the county.

The noise interrupts daily life for Los Angeles County's residents, drowning out conversations and disrupting sleep cycles.

Despite multiple efforts from several community and homeowner organizations in Los Angeles County to address these disturbances over many years, helicopter traffic in Los Angeles County is not currently regulated by the Federal Aviation Administration or any other agency.

As one expert recently explained to *The Los Angeles Times*, a helicopter pilot is free to hover over a person's home for as many hours as he would like. The only limitation on helicopter hovering, in fact, appears to be fuel supply.

Last year, at my request the Senate Appropriations Committee directed the Federal Aviation Administration to begin developing solutions to this matter.

In response, the Federal Aviation Administration formed an internal working group in July 2012 to solicit input from local communities and stakeholders on helicopter noise and safety issues in Los Angeles County.

As part of that process, FAA Regional Administrator Bill Withycombe hosted several public meetings in the summer and fall of 2012 that have allowed stakeholders and citizens to express their concerns and propose solutions.

The Federal Aviation Administration will release a report in May 2013 evaluating a full set of voluntary and regulatory options to reduce helicopter noise and address safety issues in Los Angeles County.

The study is a necessary first step in order to determine how helicopters can be regulated in Los Angeles County in a manner that provides relief to residents from helicopter noise and increase safety.

But the study is only a first step. It must be followed by meaningful and ef-

fective regulations to limit the impacts of these helicopters. I introduce this legislation in order to ensure that the FAA will follow through on the regulatory options it plans to evaluate in its May 2013 report.

This legislation directs the FAA to act in the interest of the millions of Americans in Los Angeles County. I appreciate the steps the FAA has taken to date, but only regulations appear capable of addressing the quality of life impact caused by helicopters in Los Angeles.

Last August, thousands of people sat in the stands of the Hollywood Bowl for a night of Beethoven.

Nestled into the Hollywood Hills and with little sign of the Nation's second largest city that surrounds it, the Hollywood Bowl is a unique spot to take in a concert.

But just as violinist Renaud Capuçon stood for a solo, an unidentified helicopter flew overhead, drowning out the sound of his music.

It was an upsetting event for the audience, but it is far from unusual.

The people of Los Angeles have had too many wonderful outdoor concerts and other cultural events disrupted by helicopters that fly without restriction.

Choppers in L.A.'s sky have caused too many sleepless nights.

Paparazzi helicopters have too often flown dangerously low and close to homes in their constant pursuit of celebrity images.

The air space above Los Angeles is the exclusive jurisdiction of the Federal Aviation Administration, so to bring some sanity to the skies above L.A. requires Federal action, and Federal leadership.

This legislation directs the FAA to provide that leadership necessary to protect the public interest.

I encourage my colleagues to support it, and I look forward to working with my fellow members to enact this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 208

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Los Angeles Residential Helicopter Noise Relief Act of 2013".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Residents throughout Los Angeles County suffer intrusive and disruptive low-flying helicopter traffic above their neighborhoods. The unique terrain of canyons and valleys that surround residential neighborhoods in Los Angeles County often concentrate high decibel level noise from the low-flying helicopters in and around Los Angeles County residences. The concentrated noise interrupts daily life for many Los Angeles County residents by drowning out conversations and disrupting sleep cycles.

(2) Los Angeles County is home to a uniquely large concentration of scenic, historic, entertainment, and transportation venues, including sight-seeing, movie studios, movie star homes, outdoor entertainment facilities, Griffith Park, the Hollywood Sign, freeways, and many others, that generate extensive helicopter activity.

(3) Los Angeles County is home to the world's leading civil helicopter manufacturer that conducts extensive helicopter operational testing across the region.

(4) Despite multiple efforts from several community and homeowner organizations in Los Angeles County to address these disturbances, helicopter traffic in Los Angeles County is not currently regulated by the Federal Aviation Administration or any other agency.

(5) At the request of members of Congress, the Federal Aviation Administration formed an internal working group in July 2012 to solicit input from local communities and stakeholders on helicopter noise and safety issues in Los Angeles County.

(6) As part of that process, several public meetings were held in the fall and summer of 2012 that have allowed the Federal Aviation Administration and stakeholders to hear and better understand the concerns and complaints of affected residents.

(7) The Federal Aviation Administration is scheduled to release a report in May 2013 evaluating a full set of voluntary and regulatory options to reduce helicopter noise and address safety issues in Los Angeles County.

(8) The report is expected to explore how helicopters can be regulated in Los Angeles County in a manner that provides relief to residents from helicopter noise while also meeting the needs of relevant stakeholders, including first responders.

SEC. 3. REGULATIONS TO REDUCE HELICOPTER NOISE POLLUTION IN CERTAIN RESIDENTIAL AREAS.

(a) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall prescribe regulations for helicopter operations in Los Angeles County, California, that include requirements relating to the flight paths and altitudes associated with such operations to reduce helicopter noise pollution in residential areas, increase safety, and minimize scheduled commercial aircraft delays.

(b) EXEMPTIONS.—In prescribing regulations under subsection (a), the Administrator shall exempt helicopter operations related to emergency, law enforcement, or military activities from the requirements described in that subsection.

(c) CONSULTATIONS.—In prescribing regulations under subsection (a), the Administrator shall make reasonable efforts to consult with local communities and local helicopter operators in order to develop regulations that meet the needs of local communities, helicopter operators, and the Federal Aviation Administration.

By Mr. CORKER (for himself and Mr. VITTER):

S. 215. A bill to ensure that the Federal Reserve conducts its policies to ensure long-term price stability and a low rate of inflation; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORKER. Mr. President, I am here today to introduce the Federal Reserve Mandate Act of 2013 in an effort to begin returning our country to the right place in monetary policy. Senator VITTER is joining me in this effort.

The objective of our bill is simple. Our Central Bank, like other Central Banks around the world, should be focused on creating an environment of price stability. This should be the guiding principle of monetary policy decisions.

This is neither a radical nor a new idea. Most economists argue that the proper role of the Central Bank is to serve as a lender of last resort in a time of crisis, to supply payment distribution and clearing mechanisms, and to manage the money supply so that inflation stays in check. Managing unemployment is a completely separate task and not appropriate for the blunt tools of monetary policy. That is why almost every developed country's Central Bank has as its mandate the maintenance of price stability. In other words, we are an outlier.

This is not to say that a focus on price stability means the Fed is abandoning unemployment. In fact, just the opposite is true. Monetary policy can and should create an environment where jobs can grow and thrive by giving the economy certainty that prices will remain stable over the long term.

We have strayed a long way from traditional Central Bank actions. We have lost sight of the proper role of monetary policy in our economy. With roughly \$3 trillion in assets—and I think the Presiding Officer knows that by the end of this year it is projected we will have \$4 trillion in assets—sitting on the Fed's balance sheet, there is no question that the Fed is distorting financial markets with multiple rounds of quantitative easing. At a minimum, we have completely lost price signals from instruments such as treasuries and mortgage-backed securities. It is likely, however, we are doing more damage than just that. We may be creating asset bubbles elsewhere as money moves into investments that are risky.

We are also punishing savers. Purchasing assets to drive down rates forces pension funds and retirees to shift money into asset classes that may not be best for them. We are creating "Fed addicts" in our markets. Equity markets go through cycles where they become almost Fed obsessed. In these environments, good news is bad for equity markets because it means less QE buying. Meanwhile, bad economic news is good for markets because it means more easy money is on the way. Now we risk the perils of unwinding this policy.

Economists are beginning to discuss the likelihood that the Fed will take significant losses on assets it has purchased. We just had one of the Fed Governors in our office last week sharing with us that as we begin unwinding these balance sheets, it is very likely, as the Presiding Officer can imagine, as interest rates go up and the Fed begins to buy these securities, we are going to lose money on those assets. So it is likely the Fed is going to take sig-

nificant losses on the assets it purchased. Since the Fed is buying these bonds at record low yields, they will likely sell them down the road at higher yields. I don't think there is anybody right now who disagrees with that probability.

The effect of this is a permanent increase in monetary supplies. This is an incredibly perverse situation we have now locked ourselves into.

The employment mandate at the Fed has not always existed. A lot of people believe it has. It was added with the passage of the Humphrey-Hawkins Act in 1978. Humphrey-Hawkins was passed in a moment of self-congratulations, like a lot of things around here are passed. Congress patted itself on the back for "ending unemployment." Obviously, nothing could be further from the truth. The Fed cannot end unemployment by printing money.

The Central Bank should be tasked with maintaining price stability. We must return to this core principle. This is the reason we are offering this piece of legislation today.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 224. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to further the restoration of the San Francisco Bay.

Over the last 150 years, the water quality and health of the San Francisco Bay Estuary have been diminished by pollution, invasive species, loss of wetland habitat and other factors. The degradation has not only impacted fish and wildlife, but has also reduced the estuary's ability to support important economic activities such as commercial and sport fishing, shipping, agriculture, recreation, and tourism.

Federal funding in recent years has begun the Bay's recovery process by investing in projects which improve water quality and restore critical habitat. These investments, \$28 million between 2008 and 2012 by the U.S. Environmental Protection Agency alone, were critical to spurring \$22 million in matching funds and leveraging \$81 million from other partners. But much work remains.

That is why I am pleased to introduce the San Francisco Bay Restoration Act with Senator BOXER, Chairwoman of the Senate Environment and Public Works Committee. Companion legislation will also be introduced in the U.S. House of Representatives by Congresswoman JACKIE SPEIER.

This bill was first introduced in the 112th Congress. The Senate Committee on Environment and Public Works reported favorably on the bill and recommended its passage on January 26, 2012.

This bill recognizes the important restoration work that must be done to restore and protect the iconic San Francisco Bay by authorizing \$5 million a year for restoration work between 2013 and 2017, and prioritizing funding for projects that will protect and restore vital estuarine habitat for migratory waterfowl, shorebirds, and wildlife; improve and restore water quality and rearing habitat for fish; and in turn reinvigorate recreation, tourism, and agricultural activities in and around the bay.

I urge my colleagues to join me in their support for this measure.

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

S. 224

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "San Francisco Bay Restoration Act".

SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

"SEC. 123. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) ANNUAL PRIORITY LIST.—The term 'annual priority list' means the annual priority list compiled under subsection (b).

"(2) COMPREHENSIVE PLAN.—The term 'comprehensive plan' means—

"(A) the comprehensive conservation and management plan approved under section 320 for the San Francisco Bay estuary; and

"(B) any amendments to that plan.

"(3) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the San Francisco Estuary Partnership, the entity that is designated as the management conference under section 320.

"(b) ANNUAL PRIORITY LIST.—

"(1) IN GENERAL.—After providing public notice, the Administrator shall annually compile a priority list identifying and prioritizing the activities, projects, and studies intended to be funded with the amounts made available under subsection (c).

"(2) INCLUSIONS.—The annual priority list compiled under paragraph (1) shall include—

"(A) activities, projects, or studies, including restoration projects and habitat improvement for fish, waterfowl, and wildlife, that advance the goals and objectives of the approved comprehensive plan;

"(B) information on the activities, projects, programs, or studies specified under subparagraph (A), including a description of—

"(i) the identities of the financial assistance recipients; and

"(ii) the communities to be served; and

"(C) the criteria and methods established by the Administrator for selection of activities, projects, and studies.

"(3) CONSULTATION.—In developing the priority list under paragraph (1), the Administrator shall consult with and consider the recommendations of—

"(A) the Estuary Partnership;

"(B) the State of California and affected local governments in the San Francisco Bay estuary watershed; and

"(C) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Administrator determines to be appropriate.

“(c) GRANT PROGRAM.—

“(1) IN GENERAL.—Pursuant to section 320, the Administrator may provide funding through cooperative agreements, grants, or other means to State and local agencies, special districts, and public or nonprofit agencies, institutions, and organizations, including the Estuary Partnership, for activities, studies, or projects identified on the annual priority list.

“(2) MAXIMUM AMOUNT OF GRANTS; NON-FEDERAL SHARE.—

“(A) MAXIMUM AMOUNT OF GRANTS.—Amounts provided to any individual or entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any eligible activities that are to be carried out using those amounts.

“(B) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any eligible activities that are carried out using amounts provided under this section shall be—

“(i) not less than 25 percent; and

“(ii) provided from non-Federal sources.

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000 for each of fiscal years 2013 through 2017.

“(2) ADMINISTRATIVE EXPENSES.—Of the amount made available to carry out this section for a fiscal year, the Administrator shall use not more than 5 percent to pay administrative expenses incurred in carrying out this section.

“(3) RELATIONSHIP TO OTHER FUNDING.—Nothing in this section limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

“(4) PROHIBITION.—No amounts made available under subsection (c) may be used for the administration of a management conference under section 320.”.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 225. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senator BOXER to introduce the Buffalo Soldiers in the National Parks Study Act. This legislation is an important step in preserving the legacy of the Army's first all-black infantry and cavalry units and their unique role in the creation of our National Park system.

The Buffalo Soldiers served bravely in campaigns both at home and abroad before being stationed at the military Presidio in San Francisco and being given charge of patrolling the National Park system. Although first tasked with taming the frontier, these troops also took on the responsibility of preserving that wilderness for future generations. Each summer, Buffalo Soldier regiments traveled roughly 320 miles from San Francisco to either Sequoia or Yosemite National Park, where they patrolled the parks for poachers and loggers, built trails, and escorted visitors. They were, in essence if not in name, the nation's first park rangers.

In a time of segregation and adversity, these soldiers served their coun-

try bravely and the National Parks they worked to establish are part of the legacy they leave behind. Unfortunately, this unique aspect of their history is neither widely recognized nor remembered. This legislation would address that by authorizing a study to determine the most appropriate way to memorialize the Buffalo Soldiers.

The study would evaluate the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served.

The bill will identify properties associated with the Buffalo Soldiers that could be added to the National Register of Historic Places.

The bill will develop educational initiatives and a public awareness campaign about the contribution of African-American soldiers after the Civil War.

Although the experiences of the Buffalo Soldiers are an important piece of our national history, we are in danger of losing their legacy to the passage of time unless we take conscious steps to preserve the memory. This legislation works to ensure that the contributions of the Buffalo Soldiers will be remembered and shared by all.

Furthermore, as the centennial of the National Park Service in 2016 approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

I urge my colleagues to join me in their support for this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 225

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Buffalo Soldiers in the National Parks Study Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) In the late 19th century and early 20th century, African-American troops who came to be known as the Buffalo Soldiers served in many critical roles in the western United States, including protecting some of the first National Parks.

(2) Based at the Presidio in San Francisco, Buffalo Soldiers were assigned to Sequoia and Yosemite National Parks where they patrolled the backcountry, built trails, stopped poaching, and otherwise served in the roles later assumed by National Park rangers.

(3) The public would benefit from having opportunities to learn more about the Buffalo Soldiers in the National Parks and their contributions to the management of National Parks and the legacy of African-Americans in the post-Civil War era.

(4) As the centennial of the National Park Service in 2016 approaches, it is an especially

appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

(b) PURPOSE.—The purpose of this Act is to authorize a study to determine the most effective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers played in the early years of the National Parks.

SEC. 3. STUDY.

(a) IN GENERAL.—The Secretary of the Interior shall conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks.

(b) CONTENTS OF STUDY.—The study shall include—

(1) a historical assessment, based on extensive research, of the Buffalo Soldiers who served in National Parks in the years prior to the establishment of the National Park Service;

(2) an evaluation of the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served;

(3) the identification of properties that could meet criteria for listing in the National Register of Historic Places or criteria for designation as National Historic Landmarks;

(4) an evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the Buffalo Soldiers' stewardship role in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War; and

(5) any other matters that the Secretary of the Interior deems appropriate for this study.

(c) REPORT.—Not later than 3 years after funds are made available for the study, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the study's findings and recommendations.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 228. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to establish a National Heritage Area in the California Sacramento-San Joaquin Delta. This legislation will create the first Heritage Area in California.

This bill was first introduced in January 2011 during the 112th Congress and received a hearing in the Senate Committee on Energy and Natural Resources Subcommittee on National Parks. Since then, the Delta Protection Commission has completed a feasibility study, as required, and endorsed the legislation. Additionally, the National Park Service has confirmed that the study is consistent with the agency's interim National Heritage Area Feasibility Study Guidelines.

I was pleased to have had the opportunity to work with Senator BOXER,

Representative JOHN GARAMENDI, and the County Supervisors from the five Delta Counties to develop this legislation and look forward to continuing to partner with them as well as local, State and Federal agencies to care for and improve the Delta.

This bill will establish the Sacramento-San Joaquin Delta as a National Heritage Area.

The Delta Protection Commission, created by California law and responsible to the citizens of the Delta and California, will manage the Heritage Area. It will ensure an open and public process, working with all levels of Federal, State, and local government, tribes, local stakeholders, and private property owners as it develops and implements the management plan for the Heritage Area. The goal is to conserve and protect the Delta, its communities, its resources, and its history.

It is also important to understand what this legislation will not do.

It will not affect water rights.

It will not affect water contracts.

It will not affect private property.

Nothing in this bill gives any governmental agency any more regulatory power than it already has, nor does it take away regulatory from agencies that have it.

In short, this bill does not affect water rights or water contracts, nor does it impose any additional responsibilities on local government or residents. Instead, it authorizes Federal assistance to a local process already required by State law that will elevate the Delta, providing a means to conserve and protect its valued communities, resources, and history.

The Sacramento-San Joaquin Delta is the largest estuary on the West Coast. It is the most extensive inland delta in the world, and a unique national treasure.

Today, it is a labyrinth of sloughs, wetlands, and deepwater channels that connect the waters of the high Sierra mountain streams to the Pacific Ocean through the San Francisco Bay. Its approximately 60 islands are protected by 1,100 miles of levees, and are home to 3,500,000 residents, including 2,500 family farmers. The Delta and its farmers produce some of the highest quality specialty crops in the United States.

The Delta offers recreational opportunities to the two million Californians who visit the Delta each year for boating, fishing, hunting, visiting historic sites, and viewing wildlife. It provides habitat for more than 750 species of plants and wildlife. These include sand hill cranes that migrate to the Delta wetland from places as far away as Siberia. The Delta also provides habitat for 55 species of fish, including Chinook salmon—some as large as 60 pounds—that return each year to travel through the Delta to spawn in the tributaries.

These same waterways also channel fresh water to the Federal and State-owned pumps in the South Delta that provide water to 23 million Californians and three million acres of irri-

gated agricultural land elsewhere in the State.

Before the Delta was reclaimed for farmland in the 19th Century, the Delta flooded regularly with snow melt each spring, and provided the rich environment that, by 1492, supported the largest settlement of Native Americans in North America.

The Delta was the gateway to the gold fields in 1849, after which Chinese workers built hundreds of miles of levees throughout the waterways of the Delta to make its rich peat soils available for farming and to control flooding.

Japanese, Italians, German, Portuguese, Dutch, Greeks, South Asians and other immigrants began the farming legacy, and developed technologies specifically adapted to the unique environment, including the Caterpillar Tractor, which later contributed to agriculture and transportation internationally.

Delta communities created a river culture befitting their dependence on water transport, a culture which has attracted the attention of authors from Mark Twain and Jack London to Joan Didion.

The Delta is in crisis due to many factors, including invasive species, urban and agricultural run-off, wastewater discharges, channelization, dredging, water export operations, and other stressors.

Many of the islands of the Delta are between 10 and 20 feet below sea level, and the levee system is presently inadequate to provide reliable flood protection for historic communities, significant habitats, agricultural enterprises, water resources, transportation and other infrastructure.

Existing levees have not been engineered to withstand earthquakes. Should levees fail for any reason, a rush of seawater into the interior of the Delta could damage the already fragile ecosystem, contaminate drinking water for many Californians, flood agricultural land, inundate towns, and damage roads, power lines, and water project infrastructure.

The State of California has been working for decades on a resolution to the water supply and ecosystem crisis in the State, and has a long history of partnerships with Federal agencies, working together to resolve challenges to the Delta's historic communities, ecosystem and the water it supplies so many Californians.

The Delta Protection Commission, established under State law, has been tasked by the California State Legislature with providing a forum for Delta residents to engage in decisions regarding actions to recognize and enhance the unique cultural, recreational, agricultural resources, infrastructure and legacy communities of the Delta and to serve as the facilitating agency for the implementation of a National Heritage Area in the Delta.

This legislation will complement the broadly supported State Water Legisla-

tion of 2009, which called for a Heritage designation for the Delta.

This legislation authorizes the creation of the Delta Heritage Area and Federal assistance to the Delta Protection Commission in implementing the Area. This legislation is just a small part of the commitment the Federal Government must make to the Delta. I look forward to continuing to work with my colleagues at every level of government to restore and sustain the ecosystem in the Delta, to provide for reliable water supply in the State of California, to recover the native species of the Delta, protect communities in the Delta from flood risk, ensure economic sustainability in the Delta, improve water quality in the Delta, and sustain the unique cultural, historical, recreational, agricultural and economic values of the Delta.

The National Heritage Area designation for the Sacramento-San Joaquin Delta will help local governments develop and implement a plan for a sustainable future by providing Federal recognition, technical assistance and small amounts of funding to a community-based process already underway.

Through the Delta Heritage Area, local communities and citizens will partner with Federal, State and local governments to collaboratively work to promote conservation, community revitalization, and economic development projects.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 228

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sacramento-San Joaquin Delta National Heritage Area Establishment Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **HERITAGE AREA.**—The term "Heritage Area" means the Sacramento-San Joaquin Delta Heritage Area established by section 3(a).

(2) **HERITAGE AREA MANAGEMENT PLAN.**—The term "Heritage Area management plan" means the plan developed and adopted by the management entity under this Act.

(3) **MANAGEMENT ENTITY.**—The term "management entity" means the management entity for the Heritage Area designated by section 3(d).

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(5) **STATE.**—The term "State" means the State of California.

SEC. 3. SACRAMENTO-SAN JOAQUIN DELTA HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established the "Sacramento-San Joaquin Delta Heritage Area" in the State.

(b) **BOUNDARIES.**—The boundaries of the Heritage Area shall be in the counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo in the State of California, as generally depicted on the map entitled "Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary", numbered T27/105,030, and dated September 2010.

(c) **AVAILABILITY OF MAP.**—The map described in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Delta Protection Commission.

(d) **MANAGEMENT ENTITY.**—The management entity for the Heritage Area shall be the Delta Protection Commission established by section 29735 of the California Public Resources Code.

(e) **ADMINISTRATION.**—

(1) **AUTHORITIES.**—For purposes of carrying out the Heritage Area management plan, the Secretary, acting through the management entity, may use amounts made available under this Act to—

(A) make grants to the State or a political subdivision of the State, nonprofit organizations, and other persons;

(B) enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, nonprofit organizations, and other interested parties;

(C) hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(D) obtain money or services from any source including any that are provided under any other Federal law or program;

(E) contract for goods or services; and

(F) undertake to be a catalyst for any other activity that furthers the Heritage Area and is consistent with the approved Heritage Area management plan.

(2) **DUTIES.**—The management entity shall—

(A) in accordance with subsection (f), prepare and submit a Heritage Area management plan to the Secretary;

(B) assist units of local government, regional planning organizations, and nonprofit organizations in carrying out the approved Heritage Area management plan by—

(i) carrying out programs and projects that recognize, protect, and enhance important resource values in the Heritage Area;

(ii) establishing and maintaining interpretive exhibits and programs in the Heritage Area;

(iii) developing recreational and educational opportunities in the Heritage Area;

(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the Heritage Area;

(v) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with Heritage Area themes;

(vi) ensuring that clear, consistent, and appropriate signs identifying points of public access, and sites of interest are posted throughout the Heritage Area; and

(vii) promoting a wide range of partnerships among governments, organizations, and individuals to further the Heritage Area;

(C) consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area in the preparation and implementation of the Heritage Area management plan;

(D) conduct meetings open to the public at least semiannually regarding the development and implementation of the Heritage Area management plan;

(E) for any year that Federal funds have been received under this Act—

(i) submit an annual report to the Secretary that describes the activities, expenses, and income of the management entity (including grants to any other entities during the year that the report is made);

(ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds;

(iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations

receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and

(F) encourage by appropriate means economic viability that is consistent with the Heritage Area.

(3) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The management entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

(4) **COST-SHARING REQUIREMENT.**—The Federal share of the cost of any activity carried out using any assistance made available under this Act shall be 50 percent.

(f) **HERITAGE AREA MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the management entity shall submit to the Secretary for approval a proposed Heritage Area management plan.

(2) **REQUIREMENTS.**—The Heritage Area management plan shall—

(A) incorporate an integrated and cooperative approach to agricultural resources and activities, flood protection facilities, and other public infrastructure;

(B) emphasizes the importance of the resources described in subparagraph (A);

(C) take into consideration State and local plans;

(D) include—

(i) an inventory of—

(I) the resources located in the core area described in subsection (b); and

(II) any other property in the core area that—

(aa) is related to the themes of the Heritage Area; and

(bb) should be preserved, restored, managed, or maintained because of the significance of the property;

(ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(iii) a description of actions that governments, private organizations, and individuals have agreed to take to protect the natural, historical and cultural resources of the Heritage Area;

(iv) a program of implementation for the Heritage Area management plan by the management entity that includes a description of—

(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(II) specific commitments for implementation that have been made by the management entity or any government, organization, or individual for the first 5 years of operation;

(v) the identification of sources of funding for carrying out the Heritage Area management plan;

(vi) analysis and recommendations for means by which local, State, and Federal programs, including the role of the National Park Service in the Heritage Area, may best be coordinated to carry out this Act; and

(vii) an interpretive plan for the Heritage Area; and

(E) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area.

(3) **RESTRICTIONS.**—The Heritage Area management plan submitted under this subsection shall—

(A) ensure participation by appropriate Federal, State, tribal, and local agencies, in-

cluding the Delta Stewardship Council, special districts, natural and historical resource protection and agricultural organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners; and

(B) not be approved until the Secretary has received certification from the Delta Protection Commission that the Delta Stewardship Council has reviewed the Heritage Area management plan for consistency with the plan adopted by the Delta Stewardship Council pursuant to State law.

(4) **DEADLINE.**—If a proposed Heritage Area management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the management entity shall be ineligible to receive additional funding under this Act until the date that the Secretary receives and approves the Heritage Area management plan.

(5) **APPROVAL OR DISAPPROVAL OF HERITAGE AREA MANAGEMENT PLAN.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of receipt of the Heritage Area management plan under paragraph (1), the Secretary, in consultation with the State, shall approve or disapprove the Heritage Area management plan.

(B) **CRITERIA FOR APPROVAL.**—In determining whether to approve the Heritage Area management plan, the Secretary shall consider whether—

(i) the management entity is representative of the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(ii) the management entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the Heritage Area management plan; and

(iii) the resource protection and interpretation strategies contained in the Heritage Area management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the Heritage Area.

(C) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the Heritage Area management plan under subparagraph (A), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the Heritage Area management plan; and

(iii) not later than 180 days after the receipt of any proposed revision of the Heritage Area management plan from the management entity, approve or disapprove the proposed revision.

(D) **AMENDMENTS.**—

(i) **IN GENERAL.**—The Secretary shall approve or disapprove each amendment to the Heritage Area management plan that the Secretary determines make a substantial change to the Heritage Area management plan.

(ii) **USE OF FUNDS.**—The management entity shall not use Federal funds authorized by this Act to carry out any amendments to the Heritage Area management plan until the Secretary has approved the amendments.

(g) **RELATIONSHIP TO OTHER FEDERAL AGENCIES.**—

(1) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(2) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the management entity to the maximum extent practicable.

(3) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(h) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in this Act—

(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the management entity;

(D) authorizes or implies the reservation or appropriation of water or water rights;

(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(2) OPT OUT.—An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage Area under this Act, if the property owner provides written notice to the management entity.

(i) EVALUATION; REPORT.—

(1) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the management entity with respect to—

(i) accomplishing the purposes of this Act for the Heritage Area; and

(ii) achieving the goals and objectives of the approved Heritage Area management plan;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) REPORT.—

(A) IN GENERAL.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) REQUIRED ANALYSIS.—If the report prepared under subparagraph (A) recommends that Federal funding for the Heritage Area

be reauthorized, the report shall include an analysis of—

(i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(j) EFFECT OF DESIGNATION.—Nothing in this Act—

(1) precludes the management entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(2) affects any water rights or contracts.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act \$10,000,000, of which not more than \$1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this Act shall be determined by the Secretary, but shall be not more than 50 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity under this Act may be in the form of in-kind contributions of goods or services.

SEC. 5. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—If a proposed Heritage Area management plan has not been submitted to the Secretary by the date that is 5 years after the date of enactment of this Act, the Heritage Area designation shall be rescinded.

(b) FUNDING AUTHORITY.—The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, February 7, 2013, at 10:00 a.m. in room 216 of the Hart Senate Office Building to conduct a hearing entitled “No Child Left Behind: Early Lessons from State Flexibility Waivers.”

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 228-6685.

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, February 12, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to explore opportunities and challenges associated with America’s natural gas resources.

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, DC. 20510-6150, or by e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224-4971 or Lauren Goldschmidt at (202) 224-5488.

EMBASSY SECURITY FUNDS TRANSFER ACT OF 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 227, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 227) to authorize the transfer of certain funds to improve security at United States embassies and other diplomatic facilities worldwide, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

S. 227

Mr. LEAHY. Today I am pleased the Senate will pass the bipartisan Embassy Security Funds Transfer Act of 2013. This commonsense legislation will enact a provision similar to one passed overwhelmingly by the Senate last December as part of the Sandy Supplemental but that was stripped out by House Republicans.

This bill simply provides authority to the State Department to transfer up to \$1.1 billion in overseas contingency operations funds appropriated in Fiscal Year 2012 for operations in Iraq, which are no longer needed due to reduced State operations there, to be used for increased security at U.S. embassies and other overseas posts identified in the Department’s security review after the terrorist attack in Benghazi.

Making such resources available for these purposes is one of the recommendations of the Accountability Review Board chaired by Ambassador Pickering and Admiral Mullen. The bill permits the transfer of funds between the diplomatic and consular programs and embassy security construction and maintenance accounts. Such transfers would otherwise be precluded due to percentage limitations.

To be clear, this legislation appropriates no additional funds. It costs the taxpayers no additional money. It has no scoring impact. It merely allows for the transfer of existing, appropriated funds for this critical purpose. There is nothing controversial about this bill.

We all want to do what we can to prevent another tragedy like what occurred in Benghazi. The State Department has done a review, and these funds will be used to expedite construction of Marine security guard posts at overseas facilities and for the construction of other secure embassies. While it is impossible to guarantee the safety of our diplomats and aid workers, many

of whom risk their lives daily in dangerous places, we should protect them as best we can so they can carry out their duties as safely as possible.

As I mentioned, the Senate approved a similar provision last December, overwhelmingly, by voice vote. I thank Chairwoman MIKULSKI, Senator GRAM, and the other cosponsors for supporting this bill and for helping to expedite its consideration. I am confident that the chairwoman and ranking member of the House State and Foreign Operations Subcommittee share our view that this is an appropriate use of these funds. I hope the House will act quickly to send this bill to the President.

Mr. PAUL. Mr. President, as a cosponsor of this important legislation, I am pleased the Senate will pass this bill and once again provide for stronger security at our diplomatic facilities.

Numerous reports have documented the security failures that resulted in the tragic deaths of four Americans at the consulate in Benghazi. Both the Administrative Review Board and the report of the Senate Homeland Security Committee found that inexcusable failures of judgment led State Department decisionmakers to ignore the rising threat levels in Benghazi and the repeated requests for enhanced security at the site. Marine Security Guards were not on site to protect our consulate in one of the most dangerous and unstable regions in the world. The failures of management that led to these decisions are reprehensible; the lapses in judgment indefensible. It is beyond my comprehension why the individuals whose poor decisionmaking directly resulted in the deaths of four Americans remain employed by the State Department, and compensated by the U.S. taxpayers.

One of the most troubling aspects of the Benghazi attack is the complete disregard that State Department leadership gave to the repeated requests for enhanced security from Ambassador Christopher Stevens. Should funding have been an issue, the State Department always has the option available to come to Congress for approval to transfer funds within accounts. In fact, this is what S. 227 accomplishes—it provides the State Department transfer authority to prioritize diplomatic security in our embassies around the world. It is a sad, but necessary postscript to this tragic event—and a step that, if taken earlier by the State Department, may have saved the lives lost in Benghazi.

It is my hope that the Senate takes into consideration my repeated calls for increased Marine security at our embassies in high threat areas of the world. In the two budgets I have authored during my Senate tenure, I not only called for increased funding for military protection, but also for reducing the presence of embassies in the most dangerous areas of the globe. The safety of our men and women in diplomatic service must be prioritized. This

means placing more emphasis on involvement in security by the Defense Department, but it also means assessing whether our diplomacy in the most dangerous areas of the world is better done from afar.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The bill (S. 227) was ordered to a third reading, was read the third time, and passed, as follows:

S. 228

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Embassy Security Funds Transfer Act of 2013”.

SEC. 2. TRANSFER OF CERTAIN FUNDS FOR IMPROVEMENT OF SECURITY AT UNITED STATES EMBASSIES AND OTHER DIPLOMATIC FACILITIES WORLDWIDE.

(a) TRANSFER AUTHORITY.—Funds appropriated by title VIII of the Department of State, Foreign Operations, and Related Programs Appropriations Act of 2012 (division I of Public Law 112-74; 125 Stat. 1265) under the headings “DIPLOMATIC AND CONSULAR PROGRAMS” and “EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE” may be transferred between such headings.

(b) AVAILABILITY.—

(1) IN GENERAL.—Any funds transferred to a heading under subsection (a) shall be merged with funds in the heading to which transferred, and shall, except as provided in paragraph (2), be available subject to the same terms and conditions as the funds with which merged.

(2) DURATION OF AVAILABILITY.—Any funds transferred under subsection (a) shall be available for the same period for which such funds were originally appropriated.

(c) NOTIFICATION PROCEDURES.—Any transfer of funds under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations of the Senate and the House of Representatives.

MEASURE READ THE FIRST TIME—S. 209

Mr. BLUMENTHAL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 209) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal Reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. BLUMENTHAL. I now ask for a second reading, but in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 112-240, appoints the following as members of the Commission on Long-Term Care: Dr. Javaid Anwar of Nevada, Laphonza Butler of California, and Judith Feder of Virginia.

ORDERS FOR THURSDAY, FEBRUARY 7, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, February 7, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 47, the Violence Against Women Act, with the time until noon equally divided and controlled between the two leaders or their designees.

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

PROGRAM

Mr. BLUMENTHAL. Mr. President, at noon on Thursday, Senator-designate Cowan will be sworn in.

We hope to reach an agreement to complete action on the Violence Against Women Act on Thursday.

ADJOURNMENT UNTIL THURSDAY, FEBRUARY 7, 2013 AT 9:30 A.M.

Mr. BLUMENTHAL. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Thursday, February 7, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF THE AIR FORCE, VICE ERIN C. CONATON, RESIGNED.

UNITED STATES INTERNATIONAL TRADE COMMISSION

F. SCOTT KIEFF, OF ILLINOIS, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING JUNE 16, 2020, VICE DANIEL PEARSON, TERM EXPIRED.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

MICHAEL WAYNE HALL, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017, VICE SHARON TUCKER, TERM EXPIRED.

DEPARTMENT OF EDUCATION

JANET LORRAINE LABRECK, OF MASSACHUSETTS, TO BE COMMISSIONER OF THE REHABILITATION SERVICES ADMINISTRATION, DEPARTMENT OF EDUCATION, VICE LYNNAE M. RUTTLEDGE, RESIGNED.