United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, MAY 23, 2013 *No. 74*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rabbi Michael Beals, rabbi at Congregation Beth Shalom in Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us join together in prayer.

Adon Olam, Master of the Universe, we send our first prayer to the residents of Moore, OK. May it be Your will that those who are missing be found alive and be cared for. Send comfort to those who have suffered loss, and with the help of those gathered here, send the resources required to rebuild.

Eternal our God, You commanded us to care for the widow, the orphan, and You commanded us to care for—so appropriate today—the stranger in our midst. Thank You for giving our Nation these esteemed Senators to help us as a nation fulfill the command to care for the most vulnerable in our midst. Into each of these honorable Senators You implanted Your divine spark. Help these Senators, Your humble servants, find a way of working together for the common good. In doing so, may they thus take their individual holy inner lights and join them together, creating one unified shaft of light so strong that it will shine clear up to the firmament above.

We pray this in Your sacred and Holy Name. And let us all say amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 23, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I am going to have a few things to say, as will Senator MCCONNELL, but now I will yield to my friend from Delaware, the junior Senator from Delaware.

I ask unanimous consent that when Senator MCCONNELL and I finish our remarks, he be recognized to speak for 7 minutes.

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

WELCOMING THE GUEST CHAPLAIN

Mr. COONS. Mr. President, thank you for the opportunity to recognize and celebrate this morning's Chaplain. Rabbi Michael Beals has served our community in Wilmington, DE, and our country admirably and with a strength of faith and foundation that you have heard in this morning's prayer. He is joined by his wife Elissa, a caring veterinarian, his daughter Ariella, whose bat mitzvah was just celebrated, and his daughter Shira and many other family and friends. He has a wonderful and accomplished education, being ordained at the Jewish Theological Seminary and also having studied at the American University, the University of California at Berkeley, and the Hebrew University in Jerusalem.

In addition to his remarkable education, he is someone who is profoundly grounded in the calling, in the challenge of rebuilding. As you heard in his reflections in prayer this morning, he is someone who cares deeply for the widow, the orphan, the stranger, and is true to the Biblical calling of us to be witnesses to our communities wherever we might be found.

I am grateful for the chance to add his voice to the many who have brought this Senate into session year in and year out over the centuries, and I am grateful for his friendship and leadership in my hometown of Wilmington, DE.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. With the Republican leader's consent, I ask now that the senior Senator from Delaware be allowed to say a few words regarding our guest Chaplain.

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

Mr. CARPER. Mr. President, Senator COONS and I spent a couple of lovely hours together in Michael Beals' synagogue last Saturday as his daughter was going through bat mitzvah. I will never forget that occasion. What a joy for everyone there, people from all over the country. I know it was a source of family pride for the father, the mom, and for the rabbi to be there with their daughter on that special day.

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

To my colleagues I would say that one of the things I pray for every day is that we will find our way to a two-state solution in the Middle East that provides a homeland for the Palestinians, a capital for the Palestinians, and security for the people of Israel and peace for the people of Israel.

There is a great partnership in our State between Rabbi Beals' synagogue and my church and a number of other churches of different faiths. I just want to mention that here today and thank you for your commitment not just to the least of those in our society and those who need our help but also across the world to a really big trouble spot that needs our attention and our thoughts and our prayers. I thank you very much for being here today. Thank you for your prayer.

I thank the leader for letting me say a few words.

SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in a period morning business until 10:30 a.m. The time until then will be equally divided and controlled between the two leaders or their designees.

Mr. President, if Republicans want to use extra time because of my two Democrats here, there will be no problem with that. The Chair will know how much time was taken by Senator COONS and Senator CARPER.

At 10:30 there will be two rollcall votes—first a cloture vote on the Srinivasan nomination for the D.C. Circuit and a second vote on the Sanders amendment to the farm bill.

The managers will continue to work through amendments to the farm bill today. Senators will be notified when additional votes are scheduled. I would note we are going to see if we can get a finite list of amendments today on the farm bill. Senators STABENOW and COCHRAN are working on that. It would be nice if we can do that.

Also, we hope we can work something out so we can finish our work today. If we do not, we will have to be here tomorrow in the afternoon to finish this circuit court business.

MAKING THE SENATE WORK

Mr. REID. Mr. President, as a boy, as I grew up, what I wanted to be was a baseball player. It didn't take long until I learned I was not big enough, fast enough, or good enough to be the baseball player of my dreams, but that has not taken away my love of the game. I have followed it so closely for many years. I follow it really, really closely.

I was a cheerleader for any team Greg Maddux was on. He came from Valley High School, from Las Vegas. Almost immediately he was a star baseball player in the Major Leagues. Whatever team he was on was the team I cheered for.

I have been here in Washington now for a number of years. They have had in recent years a professional baseball team. I am reminded that when I was going to law school, working in this building, I went to Griffith Stadium and watched baseball games. I only watched two, but I watched the Washington Senators play the New York Yankees twice—Mickey Mantle, Yogi Berra, all that crowd. I remember that.

In recent years—in fact, the last 2 years—I have focused on the Nationals a lot because of another phenomenon from Las Vegas by the name of Bryce Harper. He has meant so much to that team, as we learned last night. He is recovering from running into the wall at full speed, hurting himself. But last night he was the reason they won—hit a home run and a double in the 10th inning and made a sensational catch. He is really very good.

The reason I mention that is that Davey Johnson is the manager of the Washington Nationals. He has managed five different Major League Baseball teams. He is one of the greatest managers in the history of baseball. He won pennants, won national championships. But what would the Washington Nationals be like today if he did not have the ability to have the players he wanted? Someone would say: OK, you can have your third baseman Ryan Zimmerman, but you are going to have to wait—not at the beginning of the season, you are going to have to wait until August. We are willing to have him come in August. Or their first baseman, Adam LaRoche—he is a good first baseman, Golden Glove. But you can't have him for a while. Wait for a few months and then bring him on.

That is an example of what is going on in the Senate. The President of the United States does not have the team he wants, the team he deserves.

Yesterday my friend—and he is my friend—the minority leader offered a full-throated defense of the dysfunctional status quo here on Capitol Hill. Here is what he said: ''I think we have demonstrated there is no real problem here,'' talking about the Senate. This he said yesterday on this floor.

Congress has an approval rating I don't even like to talk about. It is very low. Senator MCCONNELL stood on the Senate floor and said things here in Congress are going just fine. I think it is safe to say Americans disagree, and I am on their side. Senator MCCONNELL is free to defend this Republican-created logjam that exists in the Senate today, but I will not join him in this defense. The problem of gridlock in Washington is real, and it must be fixed. I am committed to making the Senate work again.

These remarks I am giving today are only in an effort to get this body to work well. There is nothing sinister in what I am saying. I just want the Senate to work well. I have been here a long time, and it did not work this way before.

Despite the agreement we reached in January of this year, Republican obstruction on nominees continues unabated—no different than it was the last Congress.

The minority leader used strong words yesterday accusing me of going back on my word. I take that accusation very seriously. It is true that in January Democrats and Republicans entered into an agreement. Republicans agreed to cease the endless obstruction of Presidential nominees. They agreed they would work with us ''to schedule votes on nominees in a timely manner except in extraordinary circumstances.'' This is what he said, what the minority leader said. I just quoted that. He said it this year. I repeat, ''Republicans agreed they would no longer block the President's nominees without extraordinary circumstances.''

Look at the dictionary about ''extraordinary circumstances.'' Here is how it is defined: ''going beyond what is usual, regular, or customary.'' That is not some definition I came up with, that is the definition in the dictionary. ''Extraordinary'' is defined as ''going beyond what is usual, regular, or customary.''

In return for their saying that is what they would do, we agreed that we would not consider any changes to the Senate rules outside of regular order. Democrats have kept our word. We intend to keep our word. We have not altered the rules. But since we entered into that agreement, Republicans have failed to hold up their end of the bargain. What they have done these past 5 months has not been usual, regular, or customary as defined in the dictionary. Not only have they failed to work with us to schedule votes on nominees in a timely manner, they are doing everything in their power to deny the President his team and thus undermine Obama's Presidency.

Instead of throwing about accusations, let's look at the facts. Let's stick with the facts. Republican obstruction has slowed down nearly every nominee President Obama has submitted. Even Cabinet Secretaries have faced unparalleled procedural hurdles, and Republicans are threatening to block many more of them. For example, in the some 230-plus years we have been a country, for the first time in the history of this country, while a war is going on and one is winding down, for the first time in the history of this country, Senate Republicans filibustered the nomination of Secretary of Defense Chuck Hagel—who, by the way, is a Republican and, by the way, is a Vietnam hero for his combat activities there and was a Republican Senator from Nebraska.

The minority leader himself is threatening to block President Obama's nominee for Secretary of Labor, and he said so. The Secretary of Labor is a good person. He put himself through school working as a garbage man. His parents are immigrants.

What we have done here for generations of the Senate is we have had hearings on these nominees. That is the way it should be.

In recent years, after the hearings have taken place, a Senator will say: I have a few more questions. We will send them. Usually there would be two or three or four or five questions. Secretary Geithner, who recently resigned as Secretary of the Treasury, got 28 questions.

Mr. MCCONNELL. Would the majority leader yield for a question?

Mr. REID. No, I am going to finish my statement.

What happens in these committees is they ask all the questions they want, but 28 questions is not enough for them. For example, on Gina McCarthy—the President asked her to be the Director of the EPA—more than 1,100 questions were submitted to her after the hearing.

Jack Lew—who has basically had many jobs in government—had a full hearing. They gave him more than 700 questions to answer. This has gotten way out of hand. Anything they can do to slow things down, that is what they do.

Executive and judicial nominees who are ready to be confirmed by the Senate have been pending an average of 200 days—more than 6 months. Let me repeat that: Executive and judicial nominees who are ready to be confirmed by the Senate have been pending an average of 200 days. That is more than 6 months. The confirmation process has moved at a glacial pace because of extraordinary Republican obstruction.

Cloture has been filed on 58 of President Obama's nominees—58. By this point in President Bush's term, cloture had been filed on a handful of nominees. Republicans are not blocking these nominations because they object to the qualifications of the nominees.

This body passed something called Dodd-Frank. It was an answer to what was going on on Wall Street—the collapse of Wall Street. Richard Cordray, the nominee to lead the Consumer Finance Bureau—which is part of that bill that is now law—is a perfect example. He was nominated by the President of the United States almost 2 years ago—23 months ago. Republicans are not concerned about his ability to do the job. They are afraid, I guess, he would do his job too well. He is extremely well-qualified. If anything, they are concerned he might, as I said, actually do the job, protecting consumers from the kind of corporate greed that collapsed the financial markets in the first place. If he received an up-or-down vote here today, he would be approved in a minisecond, however long it takes to call the roll.

I have a couple of other examples. Yesterday we talked about the D.C. Circuit. By statute, the D.C. Circuit—some say the most important court in America, more important than the Supreme Court—has 11 spots. Justice Roberts went to the Supreme Court in 2005. His spot has not yet been filled. We have tried, but there have been two filibusters stopping that. There are four vacancies there.

President Obama is the first President in more than 50 years who has not had an appointment confirmed in the D.C. Circuit, but it is not because we have not tried. For example, we tried to get Caitlyn Halligan for 4 years, but her nomination has been filibustered twice. The seat she was nominated for—I repeat—was the seat vacated by Justice Roberts in 2005. Today it is 2013. Do the math.

Now Republicans have forced cloture on this nomination even though Sri Srinivasan was nominated for the D.C. Circuit a year ago. Even though it was reported out of the committee unanimously, they have decided to stall and not have a vote on it.

The nominee has wide bipartisan support, it appears, from both sides of the aisle. If it was reported out of the committee unanimously, I would assume that is the case. Neither stellar qualifications nor bipartisan support are enough to prevent Republican obstruction.

According to a report released this month by the nonpartisan Congressional Research Service, first-term judicial nominees who were reported out of committee unanimously have waited nine times longer to be confirmed than under President Bush. President Obama's first-term district court nominees have waited five times longer than those previously. The first-term circuit court nominees have waited more than seven times longer.

Yesterday the Republican leader raised the example of a Wyoming judge as proof they are willing to support some of our nominees. Wyoming—as I indicated yesterday, there may be a more Republican State in the Union, but I don't know where it is. I said, well, let's schedule a vote yesterday—Wednesday. The Republican leader said no.

It doesn't take a mathematician to figure why we have a judicial vacancy crisis in this country. We can talk about how we cleared most of the calendar. I take the Senate's charge to advise and consent very seriously, but Republicans have corrupted the Founders' intent by blocking qualified nominees for the slightest reason, if no reason.

President Obama deserves to choose his team, just as Davey Johnson deserves to choose his team. I believe any President deserves his or her team.

The Republicans have again and again delayed or obstructed the President's nominees. This Republican obstruction has created an unreasonable and unworkable standard where minor issues are raised as excuses to block major nominees or require a 60-vote supermajority for confirmation.

Before the Republican leader accuses me of going back on my word, he should take a long look in the mirror, and he should spend some time in honest reflection of Republican contributions to the gridlock threatening this storied institution before he claims ''there is no real problem here.''

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, according to the Congressional Research Service, President Obama has had his Cabinet nominees confirmed quicker than his predecessors during the same period in the second term—quicker.

I don't know what the majority leader thinks advise and consent means. Listening to him it means: Sit down, shut up, don't ask any questions, and confirm immediately. I don't think that is what the Founding Fathers had in mind.

Talk about manufacturing a problem—the Secretary of Energy, 97 to 0; the Secretary of Interior, 87 to 11; Secretary of the Treasury, 71 to 26; Office of Management and Budget, 96 to 0; Secretary of State, 94 to 3—in 7 days.

What we have just heard, I am afraid for my good friend the majority leader, in spite of the baseball analogy—and I read in the papers this morning he has been meeting with his members and trying to get 51 votes to blow the Senate up.

We have important issues coming down the pike. We want to finish the farm bill. We have been working hard to develop a broad bipartisan support for an immigration bill. We know what is going on here. What I fear is that the majority leader is working his way toward breaking his word to the Senate and to the American people, blowing up this institution, and making it extremely difficult for us to operate on the collegial basis we have operated on for over 200 years.

He wants to have no debate. Do what I say and do it now. This is the culture of intimidation we have seen at the IRS, HHS, FCC, SEC, and now here at the Senate: Do what I say when I say it. Sit down and shut up or we will change the rules. We will break the rules to change the rules.

We need to think over how we conduct ourselves in this body. The majority leader has a very important position. It is not only to lead the party of the majority, it is also to protect the institution. What I hear lacking in that speech is any interest whatsoever in protecting the traditions of this institution. What I hear is: We are going to get our way as rapidly as possible. You guys and gals, sit down and shut up. Don't ask too many questions; don't make it take a week longer. Do what we say, and if you don't, we will break the rules to change the rules. That is what this is about.

I want to make sure everybody understands where the majority leader is taking us. Make no mistake about it, the American people have given us divided government, but that doesn't mean they expect us not to accomplish things. We are on the cusp of beginning

an extremely important debate about the future of the country after the recess, but we know what is going on. What I hear is the majority leader does not want to keep his word to the Senate or to the American people. We will take that into consideration as we move forward.

With regard to this D.C. Circuit nomination—talk about a manufactured crisis. This well-qualified nominee came out of the committee unanimously. We have been operating on confirming judges on the basis of coming out of committee. So the majority leader decided that wasn't good enough and to do it now.

Yesterday I objected to that simply because—we did not have a problem here. We have been operating in a very collegial and sensible way. However, he has now manufactured something he can call a filibuster by filing cloture on a nominee we were prepared to confirm in an up-or-down vote in a week from now. So we ought to confirm him now.

Therefore, as I noted yesterday, Senate Republicans don't have a problem with an up-or-down vote on this pending nominee for the D.C. Circuit. Indeed, the day after his nomination appeared on the Executive Calendar for the first time, we offered to have an up-or-down vote on the nomination. The only thing we asked was that Members who did not serve on the Judiciary Committee have at least a reasonable amount of time to review his record. Unfortunately, the majority would not take yes for an answer.

Instead, it moved to set a 60-vote hurdle by filing cloture on the nomination the day after it first appeared on the calendar. It was heavyhanded, and, frankly, completely mystifying. As I said, the nomination had been on the Executive Calendar for barely a day, but we are not going to let the majority leader manufacture an obstruction crisis where none exists.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture vote scheduled for Executive Calendar No. 95 be vitiated; further, the Senate proceed to executive session at 1 p.m. today for the consideration of Calendar No. 95; there be 1 hour of debate equally divided in the usual form, and at the use or yielding back of time, the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate, and that the President then be notified of Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am not going to have a long conversation this morning with my friend the Republican leader, other than to say this: My speech speaks for itself. I wrote it; no one else wrote it. It is my speech, and I want everyone to look at that. I want Republicans and Democrats to look at it.

I also want the record to be clear: This man, on whom we are going to vote this afternoon at 1 p.m. or 2 p.m.—whatever time the consent agreement suggests—has been waiting 1 year. So the Republican leader can talk about how quickly it came, but this man has been waiting for a year. I went through the statistics, and I will not go over them again. I hope things work out in this Senate so we don't have to go through anymore procedural battles, but things are not working well. I went through the statistics, and they are in my speech.

I don't object.

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

The Republican leader.

Mr. MCCONNELL. Let me make sure everybody understands where we are. Let's have no misunderstandings. What the majority leader is doing is trying to get 51 votes to break the rules of the Senate and change the rules of the Senate. We know what he is doing, and let's make no mistake what the stakes are: He is threatening this institution, which he elected, in part, to protect, by manufacturing a crisis that does not exist. As we all know, in the Senate every Senator has the ability to impact how we do business. Unanimous consent means exactly what it says, unanimous consent.

I hope the majority leader will think long and hard, and I hope my friends in the majority, who may some day be in the minority—I know there are a lot of new Democratic Senators who think that will never happen, but amazingly enough the American people do, from time to time, change their minds about who they want running the country. The shoe could be on the other foot, and we never know when. I could have the job the majority leader currently has.

I think we need to think long and hard about protecting this institution and its traditions, particularly manufacturing crises when they don't exist.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, prior to coming to Congress, I was a trial lawyer. I tried more than 100 cases to a jury. The jury decided what was right or wrong in the particular conflict, and I have the American people on my side with this conflict. They don't like what is going on in the Senate, and I have an obligation to protect the Senate. I know that, and my friend reminds me of that, and I think of it very often. I think of it every day and when I have my weekly caucus with my 54 Democratic Senators. I represent them to represent the people they represent. I represent, because the people they represent are Republicans, Democrats and Independents, and I understand that.

So I am willing to take this case to the American people. I hope we can resolve any problems we have, but it is not right what is going on. I submit my case to the American people. I submit my case to the American people.

I don't know what he is talking about. I had a very early meeting this morning. I haven't read the newspaper. Maybe there is something in there I will have to deny. I don't know anything about the 51 votes. I look for 51 votes all the time on many different issues.

As I said, I don't want to have any animosity between me and my friend. He is a lawyer. I am a lawyer. He represents Kentucky. I represent Nevada. We both represent our respective caucuses and we both have an obligation to make this place work better.

The ACTING PRESIDENT pro tempore. The Republican leader.

IRS AND OBAMACARE

Mr. MCCONNELL. Mr. President, now I wish to talk about a real scandal and not a manufactured crisis.

Nearly 2 weeks have now passed since we learned about the scandal at the IRS. The more we learn, the more troubling it becomes. It is now clear this was about much more than one or two employees going rogue at some far-flung office out in the administrative hinterlands as was first suggested.

The facts we have seen so far point to something far more systemic than that, and it shouldn't surprise anybody. This is the IRS we are talking about—the IRS. This is an agency that is basically a euphemism for mind-numbing bureaucracy—the kind of place where one would assume nobody does much of anything without signatures and countersignatures from section chiefs and subsection chiefs and deputy office heads and secondary assistant deputy subassociate directors; sort of like a Kafka novel without the laughs.

So what we first heard always stretched credulity. Employees at ground zero of the Federal bureaucracy going rogue? Come on. Think back to the testimony we heard this week—or didn't hear. Why did Lois Lerner and other senior and former IRS officials refuse to address questions they had previously misled Congress? Somehow I doubt it is because they had nothing of interest to say. We will look forward to hearing more from them and we will look forward to hearing from whomever actually made the decisions that led to these abuses, since no one we have heard from yet is able to take responsibility for what went on.

Let's not forget the administration continues to give us different timelines about who knew what and when.

So the long and short of the situation is this: The public doesn't know the full story yet. A number of my constituents have shared stories with my office about the IRS auditing their organizations and businesses during the recent Presidential campaign for the first time ever. All of a sudden they get

audited during the Presidential campaign for the first time ever.

These folks believe the audits were conducted for no other reason than the fact that their groups were conservative, and they believe the questions they have been asked have more to do with their political views than their business activities.

Without a proper investigation, frankly, we will just never know. So we owe it to our constituents to have a detailed and deliberate investigation. That is why both House and Senate committees have begun investigations into the matter.

That is why, last week, every Republican on the Finance Committee signed a letter to the Inspector General for Tax Administration requesting a probe into reports that the IRS leaked confidential information about conservative groups—actually, to their political opponents—leaked information about conservative groups to their political opponents, and that is why even the FBI is looking into the matter, because as Attorney General Holder recently testified, the IRS's targeting of conservative groups could have violated numerous criminal provisions.

I am willing to bet there is a lot more we will discover in terms of scope, in terms of timeline, in terms of who was involved and why. But we certainly can't go about fixing the problem—we can't remove all of those who need to be removed, we can't put safeguards in place if they are deemed necessary—until we find out all the details.

Here is another thing we shouldn't be doing: handing over the administration of ObamaCare to these folks—handing over the administration of ObamaCare to the IRS. Think about that, the deeply unpopular law being administered by an agency that has so betrayed the public trust. Even the IRS's staunchest defenders in this scandal describe their actions as a case of ''horrible customer service.'' That is the best they can say: ''Horrible customer service.'' Now they are going to be put in charge of a new $1 trillion program, one that will give them access to all sorts of sensitive and deeply personal information?

That is just what the administration and congressional Democrats are about to let happen. The IRS is in charge of administering some of the most important elements of ObamaCare, and for many Americans that is going to mean submitting to probing questions about their health insurance, questions such as—this is the IRS asking you, American citizens: Do you have insurance? What kind of insurance is it? Does it follow our rules? If the people at the IRS don't like the answers, Americans will be hit with new taxes. If the people over at the IRS don't like the answers to their questions about Americans' health insurance, they will be hit with new taxes.

For small businesses, the questions are going to be far more extensive and the consequences for noncompliance far worse. The agency will have broad discretion to define what constitutes noncompliance. The IRS will have broad authority to determine what is noncompliance with ObamaCare. This is nuts.

The potential for waste and abuse would have been there regardless of which agency was put in charge of administering this bloated law. ObamaCare is massive—about 20,000 pages of regulations already. That is about 7 feet tall. So waste and abuse is basically unavoidable, but now we are going to have Americans worrying they might be discriminated against too, just for having an opinion. Do my colleagues know what. We are not going to be able to tell them not to worry because we don't know the truth ourselves yet.

Guess who is heading the IRS office charged with managing ObamaCare. Get this. It is the very same person who led the division of IRS now embroiled in the scandal who oversaw the very office now under fire for the discriminatory and harassing behavior. I am not making this up.

Here is what needs to be done today: No. 1, the administration needs to work honestly and transparently with us to get to the bottom of this scandal once and for all. They can do that by working cooperatively with congressional investigators. They can do it by testifying openly and sharing key documents with House and Senate committees. They can help us conduct a thorough administrationwide review to ensure no other discrimination of this kind is occurring anywhere else—anywhere else—in the Federal Government.

No. 2, the administration needs to suspend its implementation of ObamaCare until all the things I mentioned have been taken care of. The Supreme Court declared the individual mandate, the core of ObamaCare, to be a tax—a tax—so IRS involvement is going to be absolutely unavoidable. That needs to be halted.

Better yet, the administration could work with us to repeal the law and put in place health reforms that might actually work to control costs and provide better quality of care for our constituents. I wouldn't hold my breath on that one, by the way, but here is what I do know. I know we need to get to the bottom of this IRS scandal because, at a minimum, Americans from the left, right, and center should not have to worry their government will harass or intimidate them for daring—daring—to have an opinion and express it. They shouldn't have to worry about that when partaking in the political process, and they certainly should not have to worry about it when it comes to an issue as personal and as sensitive as health care.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees.

The Senator from Kansas.

TRIBUTE TO MELVIN MINOR

Mr. MORAN. Mr. President, I rise to speak in morning business, and I wish to recognize the presence of my senior Senator from Kansas.

I am here to visit about an individual who died in Kansas recently to whom I wish to pay tribute. There are many things we admire about our folks back in our home State of Kansas, but one of the things that stands out to me is how strongly people care about their local communities and the citizens who live there. It is demonstrated by volunteering at school, serving at their church or getting involved in public service. Kansans are often looking for ways to improve the lives of those who are around them.

Former Kansas State Representative Melvin Minor was exactly one of those individuals. In Kansas, his family, his constituents lost a great man. He was a talented educator, highly regarded by his students, and a dedicated public servant.

Mel was born in 1937 in the small Central Kansas community of Arlington. As a young man, he attended Kansas State Teachers College—now known as Emporia State University—where he graduated in 1959.

Six years later, Mel married Carolyn Fuller and spent the next 46 years by her side before her passing in 2011. Together they raised two daughters, Gayle and Mary Jo.

Mel and Carolyn had a lot in common, especially their interest in education and in young people. In fact, they met while they were both serving, working as teachers. For 15 years Mel taught American Government and Carolyn taught home economics in the St. John School District.

Many of us can remember a favorite teacher who made an impact on our lives when we were growing up, someone who taught us not only facts and figures but also instilled in us a love for learning and an interest in the world around us. Mel was just that kind of teacher for many Kansas high school students. St. John is a small rural community in Central Kansas with less than 1,500 people.

Many folks who live in St. John make their living on the farm and Mel understood this way of life and could

relate to his students from the farm because he too was a farmer. For more than a decade Mel taught them about how our government works and invested in their lives. He helped broaden the horizons of those students and opened their eyes to new subjects and to new ideas. Upon learning of his passing, one of his former students said, ''There was no better social studies and government teacher than Melvin Minor.''

After teaching government for 15 years, Mel decided to try his own hand at governing and he campaigned for a seat in the Kansas State Legislature. He was elected and he served Kansans in the 114th District in the Kansas House of Representatives for the 14 years to follow.

We all know that to serve in public office takes a great commitment from your family, but especially from your spouse. For the Minor family running for office was a team effort. Mel and Carolyn made a great team—such a team that, in fact, Carolyn served as his campaign manager and treasurer.

I had the privilege of getting to know Mel when I served as a State senator and our terms overlapped for 6 years. Even though we were of different political parties, we had a lot in common because it was about our love for Kansas and interest in rural issues that brought us together.

He was such a strong advocate for rural Kansas and the special way of life we enjoy in small communities across our State. As a farmer Mel was especially interested in agriculture policy and stood up for the best interests of Kansas farmers and ranchers.

As a longtime Kansas resident, Mel was well known and respected throughout our State but especially there in Central Kansas where he was very active in the community of Stafford. He was a member of the Stafford United Methodist Church and served on the board of directors of the St. John National Bank, the Zenith COOP, and the Stafford District Hospital.

He was also dedicated to making sure all Kansans have access to a quality education and served on the Stafford Board of Education.

During his time on the school board, he met another strong advocate for education, Ruth Teichman. After getting to know Ruth and witnessing her dedication to Kansans, Mel encouraged her to run for the State senate. Here it was a Democrat encouraging a Republican to run. It took 8 years of prodding, but he finally convinced her, and she served Kansans for 12 years in the Kansas Senate.

Ruth remembers Mel as someone who was never without a smile and someone who simply enjoyed life and spending time with people. Even when things were not going his way, he was known for saying ''the sun will come out tomorrow'' and took all of life in stride.

His family and friends described him as someone to whom others went for advice and counsel. He was known for his integrity, hard-working spirit, and dedication to the work at hand—whether as a teacher, a farmer, or a legislator.

One of his former colleagues in the house, Dennis McKinney of Greensburg, eventually rose to become the minority leader in the Kansas House of Representatives and considered Mel his mentor when he began his political career. He remembers Mel as someone who always lived out the biblical command to care for those with the greatest needs. From the patients at Larned State Hospital to the youth in the juvenile justice system, Mel was always looking for ways to serve his fellow Kansans and improve their lives.

Dennis McKinney also remembers that Mel Minor had a great sense of humor. Dennis recalled one time when the two of them were the only two Democrats voting in favor of an appropriations bill in the Republican-controlled house of representatives. Dennis was sitting behind Mel at the time and leaned forward to tell him that he felt a little bit awkward. Mel looked around the chamber, and with a glint in his eye told Dennis he did not see anyone in the chamber registered to vote in his district. He said he was not concerned about the pressure from his colleagues but was more concerned about doing what was right for the people who voted him into office.

Mel lived each day to its fullest, and his commitment to his fellow man serves as an example for all of us.

I extend, on behalf of Senator ROBERTS and me, our sympathies to his two daughters Gayle and Mary Jo and to his grandchildren Abby, Katie, and Barrett. I know they loved him dearly. He loved them dearly. He will miss them and they will miss him very much.

I ask my colleagues and Kansans to remember the Minor family in your thoughts and your prayers as they face these days ahead.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my colleague from Kansas for his wonderful eulogy to a wonderful man, a teacher, a State legislator, and just a very nice individual. I thank the Senator for that excellent eulogy. We will miss him.

FOOD LABELING

Mr. ROBERTS. Mr. President, I understand that the distinguished chairperson of the sometimes powerful Senate Agriculture Committee will be on the floor to lock in amendment No. 965 by Senator SANDERS.

I rise in opposition to that amendment. The amendment would allow States to require—let me emphasize the word, ''require''—that any food, beverage, or other product be labeled if it contains a genetically engineered ingredient.

Now, that is how it is described mostly in this debate: a genetically engineered ingredient. I think it would be more accurately called modern science to feed a very troubled and hungry world.

We already have policies and procedures, I would tell my colleagues, in place at the Food and Drug Administration to address labeling of foods that are derived from modern biotechnology. The U.S. standards ensure that all labels for all foods are truthful and are not misleading to the public.

FDA has a scientifically based review process to evaluate all food products.

The Food and Drug Administration states:

> FDA has no basis for concluding that bioengineered foods are different from other foods in any meaningful or uniform way, or that, as a class, foods developed by the new techniques present any or greater safety concern than foods developed by traditional plant breeding.

The FDA reviews products and determines that they are safe. I think we need to trust the science of their review and allow this process to work.

The amendment by Senator SANDERS would result in additional costs to food producers, and that is going to come right back to consumers. The FDA has determined that approved biotech crops are not materially different than conventional crops and therefore do not require segregation from conventional crops.

The only difference—if you have a bioengineered product, and let's say you come from Africa, one of the countries over there that continually has a very difficult time trying to feed themselves—the only difference is if you use a bioengineered product that makes that crop more resistant to heat or to rain or to a particular insect that is causing a lot of problems—you have a choice: You can have a crop or you can have no crop or you can have perhaps a crop with a pesticide or you can have a bioengineered product that is perfectly safe.

Furthermore, a change in policy would place additional costs on farmers by potentially requiring them to segregate crops and change their equipment. It would also be very problematic for grain processing facilities. I know some fail to recognize—and I know many criticize—the importance of biotechnology or criticize the safety of the product. I just say, let science be the judge. Each product goes through extensive tests to ensure safety to both human health and the environment.

There are different views, of course, on farming, and some of my colleagues in the Senate believe we should focus on those that only farm a few acres—the small family farmer; somebody about 5 foot 3 inches from Vermont—and then grow organic crops and sell them to the local farmers market. There is nothing wrong with that. I encourage that. There is nothing wrong with organic farming, and there is certainly nothing wrong with regard to farmers who farm less acres. God bless them.

However, if we are going to supply enough food for this growing population around the world—9 billion more people in the next several decades—we need agriculture of all types, and that includes organic and conventional and biotech crops. The more nations we can help to feed and bring economic prosperity, the more stable the world will become. That is good for our families, our Nation, and the world, and the world's stability. We can only do that through commonsense policies based on sound science that will allow our producers to do what they need to do to get the job done.

My colleagues—and I see the distinguished chairperson. I will conclude in just about 30 seconds. I am glad she is here. I will just say to my colleagues in the Senate that we should not be putting on lab coats individually and taking action on this amendment. We have a clear scientifically based review process that works. If we pass this amendment, probably in Vermont, California, you will have a requirement; some other States may or may not; in Kansas we will not, and so our State legislature would have no need of putting on lab coats.

At any rate, the FDA has guidance for voluntary labeling, and companies can choose to voluntarily label food and products if their customers want it, if they demand it. Let the consumer decide.

I urge my colleagues to reject this amendment.

I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

ORDER OF PROCEDURE

Ms. STABENOW. Mr. President, now that the circuit court nomination vote has been scheduled for later this afternoon, I ask unanimous consent that at 10:30 a.m. the Senate resume consideration of S. 954, the farm bill; that there be 2 minutes equally divided prior to a vote in relation to the Sanders amendment No. 965, as provided under the previous order; finally, following the confirmation vote at 2 p.m., the Senate resume legislative session and consideration of S. 954.

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

Ms. STABENOW. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for LEAHY) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

Sanders/Begich amendment No. 965, to permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

The ACTING PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to amendment No. 965 offered by the Senator from Vermont, Mr. SANDERS. The time is equally divided.

The Senator from Vermont.

Mr. SANDERS. Mr. President, I wanted to thank Senators BEGICH, BLUMENTHAL, BENNET, and MERKLEY for cosponsoring this amendment, as well as support from many environmental and food organizations all over this country. The concept we are talking about today is a fairly commonsense and nonradical idea. All over the world, in the European Union, in many other countries, dozens and dozens of countries, people are able to look at the food they are buying and determine through labeling whether that product contains genetically modified organisms.

That is the issue. In the State of Vermont our legislature voted overwhelmingly for labeling. The State Senate in Connecticut, by an almost unanimous vote, did the same. All over this country States are considering this issue.

One of the concerns that arises when a State goes forward is large biotech companies such as Monsanto suggest that States do not have the constitutional right to go forward; that they are preempting Federal authority. This bill makes it very clear that States can go forward. I would appreciate my colleagues' support for it.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. First, Mr. President, before discussing the amendment, I think it is important to note that this is not germane to the farm bill. Food labeling is properly subject to the jurisdiction of the HELP Committee; therefore, Senator HARKIN opposes the amendment.

While I appreciate very much the advocacy of Senator SANDERS on so many different issues, I do believe this particular amendment would interfere with the FDA's science-based process to determine what food labeling is necessary for consumers. It is also important to note that around the world now we are seeing genetically modified crops that have the ability to resist crop disease and improve nutritional content and survive drought conditions.

In many developing countries we see wonderful work being done by foundations such as the Gates Foundation and others that are using new techniques to be able to feed hungry people. I believe we must rely on the FDA's science-based examination before we make conclusions about food ingredients derived from genetically modified foods. They currently do not require special labeling because they have determined that food content of these ingredients does not materially differ from their conventional counterparts. I would urge a ''no'' vote.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 27, nays 71, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—27

Begich	King	Reid
Bennet	Leahy	Rockefeller
Blumenthal	Manchin	Sanders
Boxer	Merkley	Schatz
Cantwell	Mikulski	Schumer
Cardin	Murkowski	Tester
Feinstein	Murphy	Udall (NM)
Heinrich	Murray	Whitehouse
Hirono	Reed	Wyden

NAYS—71

Alexander	Enzi	McCaskill
Ayotte	Fischer	McConnell
Baldwin	Franken	Menendez
Barrasso	Gillibrand	Moran
Baucus	Graham	Nelson
Blunt	Grassley	Paul
Boozman	Hagan	Portman
Brown	Harkin	Pryor
Burr	Hatch	Risch
Carper	Heitkamp	Roberts
Casey	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shaheen
Cochran	Johanns	Shelby
Collins	Johnson (SD)	Stabenow
Coons	Johnson (WI)	Thune
Corker	Kaine	Toomey
Cornyn	Kirk	Udall (CO)
Cowan	Klobuchar	Vitter
Crapo	Landrieu	Warner
Cruz	Lee	Warren
Donnelly	Levin	Wicker
Durbin	McCain	

NOT VOTING—2

Flake	Lautenberg

The ACTING PRESIDENT pro tempore. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Ms. STABENOW. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MCCASKILL. Mr. President, I rise to make a unanimous consent request, but I want to make a few remarks first.

At the risk of being patronizing to my colleagues about the Constitution, I wish to give a basic lesson on the Constitution this morning.

My understanding is our Founding Fathers in the Constitution devised a system where we had a House of Representatives and a Senate, and they have to agree before something becomes a law. I think this is an amazing decision our Founding Fathers made because what it does is require the Senate, where all of us represent a whole State, to reach agreement with our colleagues in the House, who have much smaller constituencies and, therefore, may be targeted more to one specific area than some of us are.

I have listened to lecture after lecture from my colleagues across the aisle about the Constitution. It is almost as if some of them think they are the only ones who have read it or that they are the only ones who understand it. Well, they are not. Here is how the Constitution works: When we pass a bill and the House passes a bill, we go to conference. Why did the Founding Fathers want that? Because they understood that compromise was the mother's milk of a democracy.

But here is the bizarre thing about this. As a candidate for office last year, I bet I heard 10,000 times: Why don't you pass a budget? I listened to the leader of the Republican Party stand on this floor—and I would love to put together a montage, because we do a lot of hyperbole around here. We exaggerate, we go too far and say too much—but it is not exaggerating that the rallying cry of the Republican Party was: Pass a budget. Regular order. Pass a budget. Regular order. Pass a budget. Regular order. So what did we do? We passed a budget in regular order.

Here is the bizarre part. Following the Constitution, which my friends like to wave around and pretend they are the only ones who love it, some people on that side now think regular order doesn't matter and, by the way, they do not want to go to conference and they do not want to compromise, blowing up the constitutional premise of compromise between the two Houses—blowing it up.

I don't know what the American people think of this, but we have to shake our head at the politics of this. We have got to shake our heads, because here is what is bizarre. They keep moving the goalpost about what it would take to get us to conference.

By the way, the people who are going to be conferring on the other side are in the Republican Party. Are my colleagues worried their counterparts in the House haven't read the Constitution and they are not answerable to their constituents who voted them into office as Republicans so that we have to have another budget bill and redo the debate or we have to make sure they can't compromise on anything and we have to put it in the law?

They had an opportunity to get their way. It is called amendments. My colleagues could have gotten their way through the amendment process. We had over 100 of them. We were here until 5:30 in the morning voting on them. We passed 70 of them. How many amendments did the Senator from Texas offer on the debt ceiling that he is now saying he has to have before we can go to conference? How many amendments did he offer on that? Zero. He offered 17 amendments, but he didn't offer 1 on the debt ceiling. In fact, there was not one Republican amendment on the debt ceiling—not one. So I have to say it is pretty obvious they didn't want a budget, they wanted a political talking point. They wanted to make it look as though we didn't care about doing our job.

They didn't care about a budget. Because if they cared about a budget they would hightail it to conference right now. They would hightail it to conference. It has been 2 months.

I hope the American people are paying attention. No wonder they think we are all losers. This is not a game. You can't love the Constitution one day and blow it up the next. You can't be a situational constitutionalist when you don't get your way. That is not the way our democracy works. I got elected fair and square, and so did my Republican colleagues, and that is why we all have to be willing to compromise with one another. We are not serving the American people by playing these games, and they are sick and tired of it. Frankly, I think it makes the body look a little silly.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order from each side—motion to instruct relative to the debt limit, and motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to the motions; further, that no amendments be in order to either of the motions prior to the votes; all of the above occurring with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I ask unanimous consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The ACTING PRESIDENT pro tempore. Will the Senator so modify her request?

Mrs. MCCASKILL. Could I inquire of the Senator? I am asking: Is the Senator saying the constitutional provision for a conference between the two Houses—what the Founding Fathers put in the Constitution for conferences—is, in fact, a backroom deal of the Constitution; you don't accept that part of the Constitution?

Mr. LEE. My friend and my distinguished colleague from Missouri is absolutely correct in citing the Constitution and pointing out the fact the two Houses do have to agree before something becomes law.

It is also important to point out that under article 1, section 5, clause 2 of the Constitution, each House of Congress is constitutionally charged with the task of establishing its own rules for operation. The rules of operation in this body, as they apply right here, require this kind of request receive unanimous consent. What that means is every one of us has to be willing to vote for this. What I and a few of my colleagues have said is that regardless of what you might decide to do, we respect your opinion. But if you are asking us to vote for this, meaning to give our consent, which is a vote, we are asking for one slight modification, and that slight modification includes something very simple, which says we are not going to negotiate the debt limit as part of a budget resolution.

They are two separate things. We didn't consider a single amendment that would have addressed the debt limit. Not a single part of the budget resolution passed out of this body addressed the debt limit. The debt limit not having been the subject of the budget resolution, it is not important for that to be addressed by the conference committee.

The ACTING PRESIDENT pro tempore. Will the Senator so modify her request?

Mr. MCCAIN. Reserving the right to object, and I will object to the modification.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. First of all, I think what is being done here, if we agree that a small number of Senators could basically change the way the Senate does business, could have serious ramifications for the future.

The Senator from Utah said he doesn't want to be deprived of his vote. We are ready to vote, I say to my colleague from Utah. We are ready to vote. We are ready to vote on a motion that would send this bill, which was the subject of an enormous amount of

debate and discussion for hours and hours—until perhaps 7 in the morning—to a conference, with motions to instruct the conferees.

I would be more than happy to vote on instructions to the conferees concerning his previous concern about a tax increase, which somehow has been removed, and/or that of increasing the debt limit—instructing those conferees. That is the way the Senate should do business.

If the Senator from Utah will allow this body to vote on whether we should move to conference with instructions to conferees, that is the regular order. It is not the regular order for a number of Senators, a small number—a minority within a minority here—to say we will not agree to go to conference because of a particular problem with an issue, which I grant is important to the Senator from Utah, and it is important to many Senators as to whether we raise the debt limit.

We are on the agriculture bill right now, I say to my colleague from Mississippi. Suppose we pass the agriculture bill and the House of Representatives passes the agriculture bill and we want to appoint conferees, but there is a burning issue that a number of my colleagues might have. Are we then going to block going to conference?

Look, this isn't just about the budget conferees, this is about whether we will ever be able to appoint conferees on a bill that has been passed by the House and also by the Senate; that we will come together and do what we have been doing since the Congress of the United States started functioning, and that is to sit down and iron out our differences.

If the Senator from Utah is worried about the result, I understand. I am worried about the result. I am worried about a bill right now that is just outrageous, porkbarrel spending on catfish and all kinds of stuff I have concerns about, subsidies for the tobacco companies and all that. But that does not mean I am going to object that we move for conferees, not when the will of the Senate and the Congress and the people is heard in open and honest debate and voting. We are here to vote. We are not here to block things. We are here to articulate our positions on the issues in the best possible and most eloquent way we can and do what we can for the good of the country and then let the process move forward.

I say to my friend from Utah, he is not going to win every fight here. He is not going to win every battle here. But if he is right, I can tell him from the experience I have had in the Senate, he will win in the end if his cause is just. But he can only win if he articulates his argument before his colleagues in the Congress and the American people.

We are about to, I hope—I hope—conclude the immigration reform bill. There will be portions of that bill I do not like. There will be portions of that bill that many of my colleagues do not like. But we are not counting on 100 votes in the Senate. But we are counting on a majority of votes in passing it, and we are hoping the House will do the same. Then we will go to conference.

Does that mean that if a group of Senators—4, 5, 10; I don't know how many colleagues the Senator has on this issue—object to us going to conference on the immigration bill that therefore it should stop?

I am very worried, if this happens, about the precedent that will be set on how the Congress of the United States does business. Just a couple or few weeks ago, after the Newtown massacre, my colleague from Utah and my colleague—I believe from Florida, I am not sure who else—said we do not want to take up the gun bill. We do not want to discuss the gun bill.

I happen to have disagreed with many of the proposals, but was it right? Would it have been right for us not even to debate in light of the Newtown massacre? But the Senator from Utah thought it was the best thing for us not to move forward. Thank God there was a group of us who said let's move forward, let's debate the gun bill, let's do what we can to prevent these further massacres. That is our obligation and our duty to the American people. So here we are again. So here we are again.

The budget that for 4 years I loved beating the daylights out of my friend from Missouri, who would not insist on a budget being brought to the Senate—now a budget has been passed. Everybody was talking about what a great moment it was. We stayed up all night—at my age that is not nearly as enjoyable as it once was—and now, after being so proud, we cannot observe at least a vote?

If the Senator from Utah wants a vote on whether we should appoint conferees and what those instructions to the conferees should be, then that is what we should be doing. I understand how important it is for the Senator from Florida or the Senator from Utah—I don't know how many there are. But I can tell you there is a majority of us who want the Congress to work the people's will.

All I would do is say I hope my colleagues will agree with motions to instruct the conferees. If it is the concern of the Senator from Utah that the conferees should not address the issue of the debt ceiling, then let's vote to instruct the conferees to do that. That is the regular process. That is regular order around here.

But I can also tell my colleague from Utah something else. If we continue to block things such as this and block what is the regular order, then the majority will be tempted to change the rules of the Senate. That would be the most disastrous outcome I could ever imagine. I do not begrudge anybody—whether they have been here 6 months or they have been here 30 years—their rights as Senators. But I hope my colleagues will look at the way the Senate has functioned in the past.

Are the American people unhappy with us? Of course they are unhappy with us. One reason is because they do not see us accomplishing anything.

What I have done for these years, and the people whom I have respected in this body on both sides of the aisle—we fight the good fight. We make our case to our colleagues and the American people, and then we accept the outcome of a regular order while preserving our rights as an individual Senator. We have maintained that balance to a large degree. I hope my colleagues will understand how important that is. I urge my colleagues to do what we have been doing; that is, to have motions to instruct the conferees—if their issue is taxes, if their issue is the debt ceiling—and we vote to instruct those conferees and those conferees carry out the will of the majority of the Senate.

[Several Senators addressed the Chair.]

The ACTING PRESIDENT pro tempore. Is there objection to the modified request? The Senator from Missouri.

Mrs. MCCASKILL. I reserve the right to object to the request made by the Senator from Utah to amend my request. I would say within my request there is, in fact, the opportunity to vote; and he had the opportunity to offer an amendment on the debt ceiling on the budget and he did not.

I thank my colleague from Arizona and I renew my unanimous consent request.

The ACTING PRESIDENT pro tempore. Is there objection to the modified request?

Mrs. MCCASKILL. There is an objection to the modified request.

The ACTING PRESIDENT pro tempore. Objection is heard. The Senator from Michigan.

Ms. STABENOW. Just for 30 seconds, this is a very important debate. I do not intend to interrupt it. But for purposes of colleagues who wish to speak next, I ask that once the debate is done, Senator FEINSTEIN and Senator MCCAIN have 15 minutes to discuss a farm bill amendment.

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

Is there objection to the original request?

Mr. LEE. Mr. President, reserving the right to object.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, for 62 days several of my colleagues and I have objected to the majority's request for unanimous consent to circumvent regular order to go to conference with the House on the budget.

They want permission to skip a few steps in the process, and jump straight to the closed-door back-room meetings.

There, senior negotiators of the House and Senate will be free to wait until a convenient, artificial deadline and ram through their compromise—

un-amended, un-debated and mostly un-read.

And with the country backed up against another economic cliff crisis, we are concerned they will exploit that opportunity to sneak a debt-limit increase into the budget.

We think that is inappropriate.

And yet, objecting to this dysfunctional, unrepublican, undemocratic process has invited anger and criticism from colleagues here on both sides of the aisle.

We just don't get it, you see.

Proceeding to a secret, closed-door, back-room, 11th-hour deal, we are told, is the way the process works. It is the way the Senate works. It is the way the House works. It is the way Washington works.

We know this. That is why we're objecting. In case nobody has noticed, the way Washington works stinks. Closed-door, back room, cliff deals are not the solution, they are the problem.

The unspoken premise of every argument we have heard in favor of going to conference on this budget without conditions is that Congress knows what it is doing.

''Trust us—to go into a back room and cut a deal.''

''Trust us—to ignore special interests and only work for the good of the country.''

''Trust us—to not wait until the 11th hour, to not hold the full faith and credit of the United States hostage, to not ram through another thousand-page, trillion-dollar bill, sight unseen.''

''Trust us—We're Congress!''

As it happens, the American people don't trust Congress—or either party. And we have given them at least 17 trillion reasons not to.

I can even provide physical evidence to support my claim. If the American people had confidence in the way the Senate works I know for a fact I would not be here. I do not think my colleagues joining me in this objection would be here either.

We were not sent here to affirm ''the way the Senate worked'' as Congress racked up trillions in debt, inflated a housing bubble, doled out favors to special interests, squeezed the middle class and trapped the poor in poverty.

We were sent here to change all that. We are fully aware that ''Washington'' and the establishments of both parties do not like what we are doing—but as computer programmers say, ''that's a feature, not a bug.''

The tactics of Washington serve the interests of Washington—of Congress itself, the Federal bureaucracy, corporate cronies and special interests.

And does so at the expense of the American people, their wallets, and their freedom.

The only time I can think of when it has not worked out that way was with the recent budget sequestration and that was—literally—an accident; a mistake.

The sequestration process worked out exactly the opposite of how Washington expected and intended.

There is a reason that six of the ten wealthiest counties in the United States are suburbs of Washington, D.C.—a city that produces almost nothing of actual economic value.

And it is not because the two parties have been so effective taking on the special interests and doing the people's business.

There is a reason Tea Partiers on the right and Occupiers on the left protest their shared perception that our economy, our politics, and our society seem rigged.

That elites on Wall Street, K Street, and Pennsylvania Avenue get to play by one set of rules and people on Main Street have to play by another.

It is because they are mostly right. This is our true inequality crisis: not between rich and poor, but between Washington and everyone else.

The national debt, and its statutory limit, is a hidden part of this inequality crisis.

After all, what is new debt but a tax increase on future Americans? On those who cannot yet vote? On those who have not yet been born?

Raising the debt limit thus results in a form of taxation without representation. That is why the American people resent it. And it is why Washington desperately wants to raise the debt limit with as little public scrutiny and accountability as possible.

And that is why we're objecting.

Our critics say we should allow the process to move forward so we can have a debate. I don't know if they've noticed, but we are having the debate. We have had it several days in a row.

More than that, we are having the debate here on the floor, open to public scrutiny, and not secretly behind closed doors. This, right here, is how the process is supposed to work. The only way the American people can have any hope of supervising their Congress—not ours, their Congress—is for us to do our work above board and in the open, according to the rules.

That is all we are asking for—and only on one issue. For all our concerns, we have still said all along that we will not block a budget conference. We can go to conference right now. We are willing to give the majority permission to break from regular order and scurry off to closed door negotiations to cut their back room deal.

All we have asked is one thing, a very small and simple request: leave the debt limit out of it. Do everything else you want, spend all the money you want, use all the accounting gimmicks you want, but when you go into that back room, check the debt limit at the door. That way the American people can have that separate debate, on its own merits, here on the floor.

This should not be controversial. The House Republican budget did not include a debt limit increase or instructions to include one. The Senate Democratic budget does not include it either. House and Senate negotiators, therefore, have no procedural or democratic justification for including a debt limit hike in their talks. They have no right to do it. Yet they won't promise not to.

Once again: Trust us, we are Congress.

''This is how the Senate works,'' they say. ''This is how we do things.''

Respectfully, this is how we fail. This is how we earn our 15 percent approval rating. We know this is business as usual around here. That is why we're objecting.

If the majority wants to proceed to a budget conference through regular order, we can not stop them. But again, that is not their request. Their request is for permission to break from regular order, skip a few steps, and go straight to the secret negotiations, behind closed doors, where in the Washington-centered view of the world, the real governing can be done.

The American people do not trust secret, back-room deals, and neither do I. Unless and until the American people are assured that we will not sneak a debt limit increase into the Conference report, I will happily continue to object.

I object to the motion on the floor.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, we have been through it before. In a nutshell, what the Senator from Utah has just said is that if we pass this legislation, and if the House passes this legislation, we will not go to conference unless certain conditions are imposed on those conferees that happen to be important to a small group of Senators. Obviously, that will paralyze the process. Obviously, we can predict the outcome.

The Senator from Utah keeps talking about backroom, closed-door deals. It is the process of the Senate and the House to appoint conferees. Those conferees come to agreement and then subject their agreement to an overall vote in both bodies.

If the Senator from Utah wants to get rid of the ''backroom''—and all of the other adjectives and adverbs he used—then what is the process? What is the process? How do we reconcile legislation that is passed by one body and the other body? That is what we have been doing for a couple of hundred years.

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

Mr. MCCAIN. All I can say is, Does the Senator from Utah have another way of reconciling legislation between the House and Senate? Of course not. Of course he doesn't. Of course he doesn't. Of course he doesn't because that is the only way we can get legislation that will be passed by both bodies and signed by the President of the United States. That is the only way.

I tell the Senator from Utah again, if this condition is imposed then there is no reason why any group of Senators should impose conditions on conferees from now on, which will then mean, of course, we would not go to conference.

I would be glad to answer a question.

Mr. DURBIN. Mr. President, I would like to ask the Senator from Arizona a question through the Chair.

It is my understanding the budget resolution passed by the House and the budget resolution passed by the Senate, if conferenced and agreed upon, will result in a resolution passed by both the House and Senate but never sent to the President. It is a budget resolution that governs the way we appropriate from that point forward.

So as to the question of the debt ceiling, it could not be done in a budget resolution. If there is going to be any action on the debt ceiling, it has to be in a separate legislative vehicle that ultimately goes to the President of the United States.

Even if there were an agreement on debt limit in the budget conference, it would have no impact of law. Is that not true?

Mr. MCCAIN. Perhaps the Senator from Utah doesn't know about that, and the fact that even if they did raise the debt limit, it could not become law because it doesn't go to the President of the United States.

Again, maybe the Senator from Utah ought to learn a little bit more about how business has been done in the Congress of the United States. Budget resolutions are not signed by the President of the United States, so even if we did vote to increase the debt limit as a result of the conference—which, by the way, would be irrelevant to the work of the conference—it would not have any meaning whatsoever.

Mrs. MCCASKILL. Would the Senator yield?

Mr. MCCAIN. This business of secret backroom dealmaking, that is what conferences are about, and conference results are subject to a vote of both Houses as to the conference result.

Mrs. MCCASKILL. Will the Senator yield for a question?

Mr. MCCAIN. I would be glad to yield for a question.

Mrs. MCCASKILL. I say to the Senator, through the Chair, I have conferred with our budget chair while Senator MCCAIN was debating this with the Senator from Utah, and maybe they are not aware that conference committees are open to anyone who wants to observe them. I would like Senator MCCAIN to invite the Senator from Utah to sit in on the conference committee and listen to every word.

This notion that our democracy is a backroom deal because of bills in conference—the Founding Fathers are shaking their heads in disgust at this notion. It is not a closed-door process. It is an open process. Anybody can come and listen.

Mr. MCCAIN. It is my understanding since the conference is open to the public, it will also be broadcast on C–SPAN so all the American people can watch the deliberations.

I wonder, why would the Senator from Utah say it is a backroom, closed-door deal when, in fact—doesn't the Senator from Utah know this conference is open to the public and seen by everybody?

I mean, for the Senator from Utah to say this is a backroom, closed-door deal, he is either directly misleading or my colleague has no knowledge of how the budget conference works. I don't know which one it is, and I don't know which one is worse.

All I can say is we know, one, even if we had a restriction on allowing raising of the debt limit, it would not matter because it is not legislation that would be signed by the President of the United States—no matter what the budget conferees did. We also know the budget conferees—I will admit, unlike many—meet in open session with C–SPAN so the American people are able to observe it.

So I at least hope the Senator from Utah would withdraw his comment that this is a backroom, closed-door deal because it is not. Those are fundamental facts.

Again, it is disappointing that we are spending this time when we should be on the farm bill. The Senator from California and I have an important amendment to remove a lot of the corruption that is in that bill.

I will yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, as to the suggestion that this produces a budget resolution that at the end of day does not go to the President, and therefore it isn't law, technically, on its own face, is accurate.

What we are concerned about are the instructions which would accompany the conference report. We are concerned about instructions that would allow the normal rules of the Senate to be circumvented specifically for something like this or perhaps a piece of legislation which would itself raise the debt limit to be considered——

Mr. DURBIN. Would the Senator yield for a question?

Mr. LEE. I would like to finish what I am saying—legislation which would itself raise the debt limit and voted on a 51-vote margin rather than a 60-vote margin. So this is different.

Regardless of how open they make that conference meeting, it is not the same kind of open debate in which every Senator and every Representative is able to participate in the same way they would be able to on the floor.

Mr. MCCAIN. Does the Senator admit it is not a deal that is made behind closed doors? Does the Senator admit that? Does the Senator admit he misspoke on that issue? It is not behind closed doors.

Mr. LEE. Compared to the way we do things on the floor, this is a closed-door deal. Compared to the way we do things on the floor, this is not subject to the same kind of scrutiny.

The fact is that we have rules in the Senate—rules—on something like this, which would allow us to proceed on the basis of a 60-vote threshold. That is the whole purpose of this discussion. That is the basis of our concern. We don't want legislation that can run through to raise the debt limit, incurring potentially trillions of dollars in borrowing authority on the basis of only a 51-vote threshold. That is our concern.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have been listening to this debate, not just today but for 61 days as we have been working extremely hard to get the budget passed and go to conference so we can work with our House colleagues—and, by the way, the majority are Republicans. We are working to do that because the American people have been very loud about not managing by crisis. We all know that what will happen if we don't go to conference is exactly what the Senator from Utah has been saying he doesn't want.

If we go to conference we will have an open conference committee to discuss the differences between the House and the Senate budgets. They will then give those instructions to the conference committee on how to move forward on our appropriations bills that we are now looking at and how we are going to deal with sequestration. It will be an open debate that will come back here.

If we are not allowed to go to conference—we do have to pass our appropriations and spending bills or move to a continuing resolution because we can't if we don't get a budget deal—we are going to have to have a closed-door and secret discussion to figure out what we are going to do when the debt ceiling hits. It will come down on them in the middle of the night, and they will not have had an opportunity to be a part of it because of the delay that is occurring right now.

If the Senate allows us to go to conference, Members of the Senate, both Democrats and Republicans, my counterpart Senator SESSIONS, and I, his committee, as well as Congressman RYAN from the Republican Party in the House and his committee members and Democrats will sit together in an open process and determine how we move our budget forward.

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

Mrs. MURRAY. I am happy to yield for a question.

Mr. MCCAIN. In the case of the appointment of conferees, will that be open to the public on C–SPAN or any other media coverage that wishes to come in the room?

Mrs. MURRAY. Once the conference is set and we begin meeting in a conference, it is like any other committee hearing where the public will be able to come in and listen. They will able to watch on C–SPAN, and it will be an open process.

I will tell the Senator from Arizona that if we don't get to conference, we are going to have to have discussions, as a country, about how we manage our finances and our government moving

forward, and those will be behind closed doors.

So what the Senator is objecting to as to the closed-door secret meetings he is causing.

I hope our Republican colleagues would allow us to move forward. As the Senator from Missouri said, we had 50 hours of debate, we had over 100 amendments which were considered. Not one amendment was offered or considered on the debt ceiling, which is now what they are objecting to if we go to conference.

The Senator from Texas, I believe, offered 17 amendments, and he has been objecting because of this. Not one of them was about the debt ceiling.

I know the Senator wants to have a debt ceiling debate on the floor of the Senate. He is welcome to come to the floor anytime and talk about the debt ceiling. We welcome that discussion. We believe our bills should be paid, but that is separate from what we are talking about here. We are talking about a budget resolution.

Mr. MCCAIN. How many amendments were considered?

Mrs. MURRAY. There were over 100 amendments considered. There was 50 hours of debate equally divided. Every Senator participated.

Mr. MCCAIN. How many were voted on?

Mrs. MURRAY. Over 70 were agreed to.

Mr. MCCAIN. But there was not one amendment on the debt ceiling?

Mrs. MURRAY. Not one amendment was offered or considered on the debt ceiling.

Mr. MCCAIN. I thank the Senator.

Mrs. MURRAY. I would add that what the Senator from Missouri has offered, after talking with the Senator from Arizona, is the ability now to have a vote, despite there wasn't any during that time. There was an offer, with our consent, that, yes, OK, fine. If you have to have that now, we want to get to conference so we will allow a vote on that and proceed to the conference.

So I do not understand this argument that we are going into some secret meeting. I assure the Senator that we have seen secret meetings here when it comes to the budget in the past that have gotten us all to a very frustrating point.

Let's move to conference so we do not have those secret meetings. The Senator is arguing for something—I say to the Senator from Utah—that the Senator from Utah is going to cause.

I hope we can come to an agreement. We have offered a consent which offers two motions to be considered. We hope to have those, and we hope to go to conference.

I assure the Senator that we will be as open and as transparent as possible. That budget resolution will come back to the Senate, everyone will have a chance to have their say if they want that, and then that budget resolution will give us our instructions so we can continue to move forward on regular order to fund the Defense Department, Agriculture, Education, and to fund the different aspects of government such as transportation and housing. That is our obligation as the United States Congress in order for the American public to be able to manage what they are required to do once we pass our budget.

I urge our Republican colleagues to back off on their insistence on this matter. I am ready to go to conference. Am I going to like what comes out of conference as chair of the Budget Committee that worked very hard to get a budget passed in the Senate? Probably not.

I know my responsibility as a Senator is to work with my House Republican colleagues and those on our conference committee to come to the best judgment we can mutually so we can move our country forward and get us out of this management by crisis that has been forced on us time and time again over the last several years.

The American people deserve certainty. That certainty will come when we can move to conference with an open, transparent committee process which allows us to get the budget in order.

Again, I urge my colleagues to reconsider their objections.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. RUBIO. Mr. President, I too want the Senate to move to negotiate with the House on the budget. I think it is critically important.

I have tremendous respect for the legislative process and our Republic at the State level, local level, and the Federal level. In fact, my colleagues are correct. Oftentimes in this place we have to vote for issues we don't like because it is a product of compromise. It may not have everything we want, but it gives us the things we need.

I have certainly been on the losing end during multiple votes in this place during the time I have been here because I am in the minority both in party and sometimes in view. So I certainly understand that part of it.

That is why I voted against the budget. I am glad we finally produced a budget after 1,000 days, but that budget is one that I believe is deficient. That is why I voted against the budget.

Nevertheless, I believe this institution should move forward in negotiating the differences between our budget and the budget that the House has so we can finally have a budget in this country and so this country can move forward.

The only thing me and my colleagues are asking for is that as part of that negotiation the issue of the debt limit not be included.

I have heard here today statements made that there were X number of amendments filed and they didn't include the debt limit. I think the reason is because most of us agree that is an issue which needs to be dealt with on its own. This is not just some issue. It is an extremely consequential issue—one that needs to be debated in and of itself because it is a function not just of an annual budget. The massive debt our country faces is a function of a structural problem we have. We basically have these massive government programs that are going bankrupt, and if we don't deal with it, it will keep getting worse.

I have also heard statements made here today that we can't raise the debt limit even if we wanted to because of the way it is structured. That is why I am puzzled. Why, then, the objection? Why the objection to a very simple notion?

We could be in conference with the House today. We could be negotiating with the House at this very moment if all we would do is just say: Go ahead and negotiate the differences with the budget. Negotiate taxes. If there is a tax increase, I am voting against it, but negotiate that. Negotiate all of these sorts of things. But the debt limit cannot be part of it; it has to be dealt with separately.

I don't understand the objection to that being in there.

I would say one more thing about the amendment process, and this is a cautionary tale. The next time someone comes up to you and says, ''Don't file any more amendments; you are slowing the place down,'' maybe you should file them because if you don't file them, you will have to hold your peace forever.

With that being the case, I think we need to move to negotiation with the House with the very simple language in it that it should not have a debt limit increase.

I am going to move and ask for unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; that the motion to reconsider be made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and that the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate; further, that a conference report in relation to H. Con. Res. 25 not be in order in the Senate that includes reconciliation instructions to increase the debt ceiling.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCAIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. RUBIO. Well, then, we are in the same place we were before. Basically, this is senatese, but what I basically said is that I want the Senate to go into negotiations with the House. The only thing we ask is that when they come back, there not be reconciliation

instructions in there that the debt limit be dealt with or increased because the debt limit is so consequential for our country that it needs to be dealt with on its own.

Let me remind everybody of what we are dealing with. Let me tell my colleagues that this is a bipartisan debt. I said it yesterday, and I will repeat it today. This is a debt that grew over the last 20 or 30 years with the cooperation of both parties, unfortunately, although we have never seen anything like the last 5 years. It is a function of a structural problem in our spending programs. If we don't deal with those programs, it is going to collapse our economy within our lifetime and certainly that of our children. It is time to deal with it now. That issue should be debated on its own, not as part of a budget negotiation that deals with a 1-year spending agreement.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, we have been through this quite a bit, but, again, I wish to respond by saying that if it were part of the budget resolution, it would have no effect in law. So one has to then question what the knowledge of those who are advocating this is about fundamental procedures.

Second of all, if this is a prerequisite, then for every conference we send, Senators will be allowed, according to this precedent, to set certain parameters of those conferences, which is a procedure we use now—instructions to conferees. We are willing to have votes on instructions to conferees on any issue any Senator feels necessary for the conferees to do their job.

Mrs. MCCASKILL. Will the Senator yield for a question?

Mr. MCCAIN. I will be glad to.

Mrs. MCCASKILL. The Senate is a wondrous creation by our Founding Fathers in that a great deal of power was given to the minority in the Senate.

Mr. MCCAIN. Thank God.

Mrs. MCCASKILL. And I know the Senator from Arizona has enjoyed having that power from time to time, and I am sure when my party has been in the minority it has been important, and we have respected that in this body, although there have been some really dicey times, and I am sure the Senator from Arizona has been involved when we have been on the brink of blowing up the rights of the minority.

I want to make sure I understand. The way I really see what is going on is we now have a superminority. If this were allowed to pass, what we would be doing is changing what the Founding Fathers had in mind in terms of the power of the minority and actually saying: Let's go back in history and say there were one or two or three Senators or four Senators who decided, by gosh, they weren't going to do voting rights legislation or they weren't going to do the vote for women or they weren't going to do some of the changes that have occurred in our country.

Does the Senator from Arizona see a problem that if we allow a superminority—a minority of the minority—to hijack a process laid out in our Constitution, that what would happen is the majority would have no choice at that point other than to begin to circumscribe the rules for the minority?

Mr. MCCAIN. Well, I think that is a danger and I think it is a significant danger if a number of Senators, either large or small, should insist that certain conditions be imposed unilaterally without motions to instruct. That is what we have the motions to instruct for. It is not that we don't want the conferees to do certain things, but we have motions to instruct. That is the regular order of how we do business.

The Senators who are here who say the debt ceiling should not be part of any negotiations, fine. Let's have a vote, motions to instruct the conferees. It has been my experience that the conferees have stuck with the instructions that were voted on by the majority of the Senate.

So this is kind of a sad time because here we are debating as to whether we should allow the debt limit to be part of negotiations, which would have no meaning in law whatsoever because it is not signed by the President. We have pressing issues. The Senator from California and I have an issue that has to do with tobacco and the health of our kids that we would like to have considered before the Senate. We could be debating on the instructions to the conferees. We could be doing so many things, and we are not. We are not doing those things.

Finally, I would again share my experience with my colleagues. I have lost a lot more times than I have won, but I have come to the floor of the Senate using the rules of the Senate and made the argument on those things I believe in and stand for. I have been passionate on those issues, and sometimes I have irritated my colleagues, but at least I have had my say.

But then after I have had my say, there have been votes, and the body has decided, and the body has decided whether I was right or wrong. When I have been voted down, I have gone back on those issues and I have tried to convince my colleagues of the rightness of my position, rather than, as with the gun bill, after people were slaughtered in Newtown, CT, my colleagues didn't even want to debate the issue of gun control and what we should do about that. That is not how the Senate should function. The Senate is supposed to debate and discuss and give our passionate appeals and beliefs and then put it to the will of the body. That is the protection of the individual Senator, not to just say we are not going to do anything. That is not the way the American people want us to act. And to throw in all this stuff about the debt and the deficit—I will match my record on opposing the debt and the deficit against certainly my colleagues here.

But that is not the point. The point is, will this deliberative body, whether it is the greatest in the world or the worst in the world, go ahead and decide on this issue so we can have a budget so we can at least tell the American people we are going to do what we haven't done for 4 years and what every family in America sooner or later has to do, and that is to have a budget.

So, as I say, we have gone on too long. The farm bill is of the utmost importance, and the Senator from California and I have amendments on it. I hope my colleagues will realize the best way to get their point of view over and sway the opinion of our colleagues and the American people is to engage in honest and open debate, as the Senate does, instruct the conferees, let them go to conference in an open—not closed-door, not behind closed doors, not backroom—process that is the procedure employed by the Budget Committee in conference.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CRUZ. Mr. President, in ''Gulliver's Travels,'' Swift told us of two fictional lands—Lilliput and Blefuscu—that had been at war for years over which end of the egg to open first. In Lilliput they opened the big end of the egg, and in Blefuscu they opened the small end of the egg, and the big-enders and little-enders battled endlessly. I am sorry to say that satirical depiction often reflects what occurs in this august body. We spend a great deal of time arguing about procedural niceties, about motions to commit or not commit that do not matter to the American people, and all the meantime we are bankrupting our children and our grandchildren.

If I could, I wish to cut through all of the arguments back and forth because in my view most of the arguments are by design missing the point of this disagreement. This disagreement is over one issue and one issue only: Can the Senate raise our debt limit with only 50 votes or does it take 60? Everything else that is being talked about is smoke, is a side issue. The central fight is, Should the Senate be able to raise the debt limit with 50 votes or 60?

I will note that my friend from Arizona questioned the knowledge of those who are objecting, and he suggested that perhaps our knowledge was lacking because this could not be done. Well, I know my friend from Arizona is a long veteran of this body, and he surely knows it was done in 1987 and 1990. This is not a hypothetical. In 1995 and in 2004 it was attempted. It didn't quite get accomplished, but it was attempted.

What occurs under the Budget Act of 1974 is that when a conference report is adopted and reconciliation instructions are sent, that raises the debt ceiling, and that can then be passed by this body with merely 50 votes. This is all an avenue to allow a debt ceiling increase to be raised with 50 votes. And I

know my friend from Arizona is well aware of that because he is such an esteemed historian of this body, he knows not only that it can be done but that it has been done.

We don't need to hypothesize over whether that is what this is about because for 62 days we have asked the majority leader: Simply say we won't use this as a procedural trick to raise the debt ceiling with 50 votes and then we can go to conference. For 62 days the majority leader has said: No, no, I will not do that; I will not do that. And those protestations make absolutely clear what this is about.

I think that on both sides of the Chamber there are different things at work. On the Democratic side of the Chamber—President Obama has been very explicit. He wants to raise the debt limit, and he has said he wants no debate about it. He is unwilling to debate. He wants to shut down the discussion. He simply wants a blank check. He simply wants an unlimited credit card to keep digging the debt hole this Nation is in deeper and deeper and deeper. He said this publicly, repeatedly from the White House.

What our friends the Democrats are doing is standing shoulder to shoulder with the Democratic President in fighting to enable the Senate to raise the debt limit with just 50 votes, which means, if that happens, that would then allow the 55-Member Democratic majority to vote to do so without listening to a word from the minority. That is what this fight is about, and there is no other issue being contested here.

What is happening on the Republican side? Well, some have suggested we ought to just have a motion to instruct. The problem with the motion to instruct is that a motion to instruct is nonbinding, so it is a purely symbolic gesture. But even a motion to instruct not to raise the debt ceiling would lose. Why? Because there are 55 Democrats, and the 55 Democrats would vote against it.

Here is the dirty little secret about some of those on the right side of the aisle: There are some who would very much like to cast a symbolic vote against raising the debt ceiling and nonetheless allow our friends on the left side of the aisle to raise the debt ceiling. That, to some Republicans, is the ideal outcome because they can go to their constituents and say: See, I voted no, and yet at the same time, wonderfully, they lost, and they did not actually have to stand up and stop what was happening. That is an outcome I believe some on this side of the aisle desire.

I do feel obliged to rise in defense of my colleagues, the Republicans, because the senior Senator from Arizona has impugned the Republicans by claiming repeatedly it is only a minority of Republicans who are opposed to raising the debt ceiling on 50 votes. He has repeatedly suggested on the floor of the Senate that, in fact, it may be a small minority, that the overwhelming majority of Republicans, the senior Senator from Arizona said, stand with HARRY REID in wanting to be able to raise the debt ceiling on 50 votes.

Let me suggest to the senior Senator from Arizona that, No. 1, in saying that, he is impugning all 45 Republicans in this body, but, No. 2, it has been suggested that those of us who are fighting to defend liberty, fighting to turn around the out-of-control spending and out-of-control debt in this country, fighting to defend the Constitution—it has been suggested we are wacko birds. Well, if that is the case, I will suggest to my friend from Arizona there may be more wacko birds in the Senate than are suspected. Indeed, I would encourage my friend, the senior Senator from Arizona, that if he were to circulate to Republicans a simple statement that said: We, the undersigned Republican Senators, hereby state we support giving HARRY REID and the Democrats the ability to raise the debt ceiling with 50 votes instead of 60, I believe he will find his representation to this body that it is only a minority of Republicans who oppose that is not accurate.

This issue gets obscured by the procedural complexities, and that is not by accident. Washington is very good at speaking doublespeak that makes the citizens' eyes glaze over. But as its heart it is very simple. Majority Leader REID and the Democrats want to raise the debt ceiling. They have stated they want to raise the debt ceiling, and they want to do so consistent with President Obama's instructions to do so without debate because he does not want to debate this issue, without conditions, without anything to fix our out-of-control spending, our out-of-control debt—simply give him an additional blank credit card because going from $10 trillion to $17 trillion has not been enough. That is the desire of the Democrats, and it is candid.

We could go to conference right now, today, if the Democrats would simply say: We will not raise the debt ceiling with just using 50 votes. We will debate it on the floor with a 60-vote threshold and actually be forced to find some bipartisan agreement. But that is not what the majority wants to do.

Those who are arguing that Republicans should accede to that demand are arguing that all of us who have told our constituents we are going to fight to solve this economic problem, we are going to fight to stop out-of-control spending, we are going to fight to stop bankrupting our kids—that those promises are hollow, those are just what we tell constituents at home, that is not actually what we do when we are on the floor of the Senate.

I would note, indeed, when the senior Senator from Arizona said it is only a small minority that believes this on the Republican side, if my friend, the senior Senator, is able to produce a written letter with the signature of a majority of Republicans, I will offer here and now to go to a home game of my Houston Astros wearing an Arizona Diamondback hat. And I can guarantee you, in Houston that will not be well received. But yet I stand in complete comfort that I will not find myself in that situation because I do not believe it is right that a majority of the Republicans in this body have given up the fight on spending, have given up the fight on reining in out-of-control Washington bipartisan spending, deficits, and debt. I believe we are seeing leadership in this body stand together to fix the problem. That is what the American people want.

Let me say this in closing: It is easy to get confused by all of the procedural discussions back and forth. This issue is about one issue alone: Should Majority Leader HARRY REID be able to raise the debt limit an unlimited amount with just 50 votes or should it require 60? If it requires 60, there will have to be some positive steps made to fix the problem. If it is just 50, the majority leader has the votes right now, today, to write a blank check for the Federal debt.

That is the issue, and I think the American people are not conflicted in the answer to that issue. The American people want us to fix the problem and stop digging the debt hole deeper and deeper, stop putting our kids and grandkids on the path to Greece.

I am proud so many Senators are standing here working very hard to honor our commitments to our constituents because that is exactly what our job is.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Utah.

Mr. LEE. Madam President, I thank my friend and my colleague, the Senator from Texas, for his remarks and I speak briefly to respond to a couple of points that have come up today.

First of all, it is important for us to remember that although the rules of our body might allow for a conference committee to meet in public, and although that may have happened in the past from time to time, it is not the norm. In asking around to some senior staff members who have been here longer than I have, it typically has not happened in recent years. In fact, it has become relatively rare in recent years. So to suggest it necessarily is an open process because it has the capacity to be made into an open process, those are not the same things. Typically, we can legitimately expect for this to be a backroom, closed-door process.

That is not the end of the world; we, of course, need conference committees. They do valuable, important work. We are not disputing that. We are not disputing the fact that sometimes it is important for conference committees to meet in order to reconcile competing versions of the same legislation—one passed in the House and one passed in the Senate. But what we are talking about here is a very limited request: to limit the scope of their work

so as to exclude the possibility of a debt limit increase without the 60-vote threshold.

It is also important to remember that although this is the procedure the majority has chosen to use in order to try to get to a conference committee, it is not the only way. In fact, it is possible to do this without unanimous consent. It is possible to do this without, in other words, all of us being willing to do it—all of us—by withholding our objection as effectively voting to do that.

If, as has been suggested, the other body does, in fact, want to go to conference, the other body could take the budget we passed, could slap their amendments on top of it, could even replace most or even all of our budget with theirs, send it back over, and at that point it is my understanding we could go to conference without the need for a unanimous consent.

So there are other ways. This is just the way the majority has chosen to go. The majority has every right to do that, and we have every right to object. That we do and that we will continue to do until such time as it either becomes unnecessary or until such time as the majority agrees to modify the request along the lines we have specified so as to permit and ensure that any debt limit discussions and votes will take place subsequent to the normal order and subject to a 60-vote threshold.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I believe pursuant to a unanimous consent agreement propounded by the chairwoman of the Agriculture Committee that I am next up to be able to speak on an amendment. But for a brief moment I want to reflect on what I have heard and the lens through which I see it.

I have been here for 20 years. When I came to the Senate, it was not this way. The rules of the Senate were observed. A small minority never tried to subvert the will of a majority. I think Senator MCCAIN said it well. We stand on the floor. We advocate for our views. We either win or lose. The dye is cast. But we have an opportunity for full deliberation.

It is one thing to have a minority have their rights. It is another thing to have a minority of the minority absolutely try and handcuff a committee of the Senate. I believe that is wrong. Because what is happening here sets a precedent for future answers. And there is no reason not to have a conference committee.

I think the Senator from Utah knows full well these conference committees are open to the public. They are open to the press. They are often long. They can be laborious. But it is a way of reconciling the differences between the House and the Senate.

So to handcuff this Budget Committee and say it can do this but it cannot do that is not the right thing to do. I hope the credibility of the minority of the minority running this body diminishes with this debate.

AMENDMENT NO. 923

Let me now go to an amendment Senator MCCAIN and I are offering to eliminate taxpayer subsidies for tobacco production in the farm bill of America. It is No. 923. I will not call it up because I understand an agreement is—I am just told by the chairwoman of the committee that I can call up the amendment, and to this end I call up amendment No. 923.

The PRESIDING OFFICER. Is this objection?

Without objection, it is so ordered.

The clerk will report the amendment.

Mrs. FEINSTEIN. I ask reading of the amendment be vitiated, and I will proceed with my remarks.

The PRESIDING OFFICER. The clerk will simply report the amendment first.

Mrs. FEINSTEIN. Fine.

The bill clerk read as follows:

The Senator from California [Mrs. FEINSTEIN, for herself and Mr. MCCAIN, proposes an amendment numbered 923.

The amendment is as follows:

(Purpose: To prohibit the payment by the Federal Crop Insurance Corporation of any portion of the premium for a policy or plan of insurance for tobacco)

On page 1101, between lines 5 and 6, insert the following:

SEC. 11_____. PROHIBITION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION FOR TOBACCO.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)(2)) is amended by adding at the end the following:

''(9) PROHIBITION ON PAYMENT OF PORTION OF PREMIUM BY CORPORATION FOR TOBACCO.—

''(A) IN GENERAL.—Effective beginning with the 2015 reinsurance year, notwithstanding any other provision of this subtitle, the Corporation shall not pay any portion of the premium for a policy or plan of insurance for tobacco under this subtitle.

''(B) DEFICIT REDUCTION.—Any savings realized as a result of subparagraph (A) shall be deposited in the Treasury and used for Federal budget deficit reduction.''.

Mrs. FEINSTEIN. Madam President, I thank the chairwoman. She made a commitment to hold a vote on this amendment on Monday evening, and she has sought mightily to keep her word, and I very much appreciate that.

This amendment is, to my view, about common sense. Tobacco is not just another crop; it causes 443,000 deaths each year. It is the leading cause of preventable death in America. The CDC estimates that tobacco costs the American economy more than $200 billion each year in health care expenses and lost productivity.

A recent study estimates that annual smoking-attributable expenditures add $22 billion each year to Medicaid's bottom line. In other words, Medicaid costs $22 billion more because of tobacco.

In 2004, Congress approved nearly $10 billion—$9.6 billion, to be exact—in payments over the next 10 years to tobacco farmers and quota holders in exchange for ending the tobacco program.

In addition to this $10 billion, tobacco farmers also received more than $276 million in taxpayer-funded crop insurance subsidies since 2004. That is what we are trying to change. Unlike crop insurance indemnities, the tobacco insurance subsidy is not based on losses. The government pays premium support subsidies year in and year out regardless of losses.

In 2012, farmers received $37.4 million in subsidies; in 2011, $33 million; in 2010, $37.1 million; in 2009, $40.1 million. If you add this up, there is $147 million in subsidies given, despite the big tobacco buyout of $10 billion, in subsidies to crop insurance.

If you look at our $642 billion deficit, why would the government continue to subsidize crop insurance for tobacco?

Now that is not to say tobacco farmers should not have access to crop insurance. Insurance is an important risk management tool for any business, and our amendment allows tobacco farmers to continue to purchase crop insurance.

The amendment is specific. It eliminates the government's contribution to the annual cost of tobacco insurance premiums. But it does not impact the ability for crop insurance companies to sell these products. Farmers can manage weather and market risk without the mandatory taxpayer premium support.

Some may say: Well, market rate insurance is not feasible for farmers. I challenge that notion. Carrot farmers do not have access to any crop insurance—federally subsidized or otherwise—neither do spinach farmers, broccoli farmers, or artichoke farmers.

The list of crops with no insurance support goes on: cauliflower, celery, eggplant, cut flowers, Kiwi, kumquats, melons, garlic, raspberries, and pomegranates, to name a few.

Farming without government-subsidized crop insurance is possible, contrary to what some would have you believe.

I also want to remind my colleagues that tobacco farmers have done quite well by the government. In 2014, North Carolina tobacco farmers and quota owners will have received $3.9 billion in buyout payments. In other words, they have taken this money to be bought out. Kentucky quota owners and farmers will have received $2.4 billion from the government. Quota holders and farmers in Tennessee, South Carolina, Virginia, and Georgia will each have received more than $600 million in buyout payments by the end of next year.

Evenly divided among the thousands of tobacco quota holders and farmers nationwide, the nearly $10 billion buyout has provided very generous support. We need to remember this is not a struggling industry. Contrary to what some would have you believe, a 2012 University of Illinois study found that productivity on Kentucky tobacco farms increased by 44 percent in the last 10 years.

At the same time, tobacco farmers are seeing some of their best paydays since the 2004 buyouts began. Tobacco is fetching nearly $2 a pound for some farmers. The 2012 crop was valued at $1.579 billion.

To return to the question at hand, should taxpayers continue to subsidize tobacco productions, I believe the answer is no. Tobacco is the leading cause of preventable death in the United States. As I said, it kills 443,000 people each year. It costs $200 billion in health care and reduced productivity.

I am not alone. This amendment is supported by the American Cancer Society, the American Heart Association, the American Lung Association, the Campaign for Tobacco Free Kids, the American Public Health Association, the Environmental Working Group, Doctors for America, Physicians for Responsible Medicine, and Taxpayers for Common Sense.

Some would have you believe this is going to affect the small tobacco farmer. Let's take a look at it. There are 16,228 farms that grow tobacco nationwide. Well, I will not get into that. The industry is concentrated. A small number of large farms produces the vast majority of the crop. Two percent of the farms produce 50 percent of the annual tobacco crop; 10 percent, 75 percent of the annual tobacco crop. Twenty percent of farms that grow tobacco are smaller than 50 acres. Eighty percent of farms that grow tobacco are larger than 50 acres.

The bottom line is most tobacco farmers are not relying on tobacco as their primary crop. Thus, it is not surprising that only 4,495—that is 72 percent of farms—have tobacco sales of more than $50,000 a year. A fair assessment shows that about 5 percent of tobacco farmers, 908, do fall into the category of small farmers who rely on tobacco as their primary farm income.

The buyout expires, I believe, at the end of 2014. My point is nearly $10 billion of taxpayer funds is in the process of being expended to buy out tobacco farmers. Why should we then subsidize crop insurance? I very much hope my colleagues will join me in supporting what I think is commonsense reform. We have to say no to tobacco in America. Most of us think we have made great progress. Young people smoke less; older people smoke less; you do not smoke in public places. All of these have had a big impact. I think by eliminating this subsidy on crop insurance, it also can have a constructive impact.

I urge an ''aye'' vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank the Senator from California for her excellent work on the amendment she is offering which takes to another level the fight against tobacco addiction that has so plagued this country. She has been such a champion of the victims of nicotine and tobacco addiction. Her work certainly has been a model for many of us who have been involved in this fight.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. 1041 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BLUMENTHAL. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that the time until 1 p.m. be equally divided between proponents and opponents of the Feinstein-McCain amendment No. 923; that following the confirmation vote this afternoon and the resumption of legislative session, the Senate proceed to vote in relation to the amendment; that there be 2 minutes equally divided prior to the vote and that the amendment be subject to a 60-affirmative-vote threshold.

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

Ms. STABENOW. One more comment, as I see my colleague is waiting to speak on the Senate floor. I want to thank everyone. As we are working through the farm bill, we are making progress, moving forward, and looking forward to continuing to put in place the final path for passage of the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UNANIMOUS CONSENT REQUEST—S. RES. 133

Mr. TOOMEY. Madam President, I rise to make a unanimous consent request.

We have been following an extraordinary horror story in the news, and it is the story of Kermit Gosnell's truly unspeakable crimes that were committed over a long period of time—maybe as long as two decades—at the Women's Medical Society in Philadelphia, PA.

We suspect there were literally hundreds of late-term and very late-term abortions that were conducted there, and we now know from his conviction in a criminal trial that there were babies born alive—probably many—who were then murdered when scissors were used to sever their spinal cords after they were born alive in a failed abortion attempt. Further, we know that Kermit Gosnell and some of his colleagues kept aborted fetuses in bags and bottles, discarded them, left them on shelves.

It is unbelievable what was happening at that place for years and years. In fact, the crimes were discovered by accident. Police raided offices to seize evidence of illegal sales of prescription drugs. It was only during that raid for illegal prescription drug sales that they discovered the evidence of these atrocities.

It is my view and the view of many of my colleagues that we need to do a lot more to make sure that the laws, which were blatantly being violated by Kermit Gosnell, are better enforced. We need to do that through proper due diligence and discover where they are being violated.

About 2 weeks ago Kermit Gosnell was convicted. He was convicted of three counts of first-degree murder for killing three infants. He was convicted of one count of third-degree murder in the overdose death of a woman. There were 21 counts of abortion of an unborn child of 24 weeks or more, and he was convicted of 208 counts of violation of informed consent.

We have a resolution, S. Res. 133. It points to these atrocities that were committed. It simply calls on Congress and the States to investigate and correct the abusive, unsanitary, and the blatantly illegal abortion practices that certainly were conducted here at the Women's Medical Society in Philadelphia and similar such practices that may be occurring in other places.

I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 133, that the Senate proceed to its consideration, and that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be made and laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, reserving the right to object, and I will, in fact, but I want to first discuss the resolution that now for the third time essentially has been brought to this body, and I am here to speak and object for a third time but not out of disagreement with the basic goal that has been well articulated by my friend from Pennsylvania.

I think I am quoting him directly from his remarks just now in saying that the goal is to do a lot more to ensure that the laws violated by Kermit Gosnell are vigorously enforced. I am here to say, yes, let's condemn the kinds of practices that resulted in the conviction of Kermit Gosnell and his sentence, in effect, to life in prison. Let's do more to ensure that laws are vigorously enforced that protect innocent patients in any setting, whether it is a doctor's office, a hospital, or a nursing home; whether it is by a nurse, a doctor, or another kind of caregiver, or by a vicious, conscienceless practitioner like Kermit Gosnell.

Let's stop this kind of despicable medical conduct even if it may be only a tiny fraction of all the caregiving that occurs in the United States by an even tinier fraction of a great and noble profession, by extraordinarily experienced and expert members of our medical profession.

We need to talk about all of the kinds of malpractice and criminal misconduct that can cause death or injury or the threat of death or injury.

We ought to be equally outraged by the doctors and the nurses in States such as, for example, hospitals and nursing homes in both New Jersey and Pennsylvania—in 2006, a nurse was sentenced to multiple life sentences for

killing at least 29 patients by intentionally overdosing them with medication. There was simply no justification for those actions, and they are equally as heinous and unforgivable as the crimes that resulted in the conviction of Kermit Gosnell.

We need to talk about the nurse who was charged with killing 10 patients in a hospital in Texas by injecting them with a medication to stop their breathing. She pleaded no contest and is now serving life in prison.

I want this body to adopt a resolution that addresses those kinds of lapses in basic decency, ethics, and morality, as well as law.

We ought to be talking about the doctor who worked in hospitals in seven States—New Hampshire, Kansas, Maryland, Pennsylvania, Michigan, New York, Georgia—and exposed almost 8,000 patients to hepatitis C. He knowingly injected patients with his own infected blood and exposed them to a life-threatening disease.

The resolution I am going to ask this body to adopt speaks to those violations of trust, decency, and law.

In this place, I have talked about other similar violations—the Oklahoma dentist who exposed as many as 7,000 patients to HIV and hepatitis B and C through unsanitary practices. In Nevada, practitioners at an endoscopy center exposed 40,000 patients to hepatitis C through their unsanitary practices, and it went on for years.

My resolution speaks to those basic violations of trust and morality.

Kermit Gosnell's case has run its course. Our criminal justice system has done its work.

I have a resolution, and I ask unanimous consent that it be adopted.

I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 134 and that the Senate proceed to its consideration; that the resolution be agreed to, the Blumenthal amendment to the preamble, which is at the desk, be agreed to, the preamble, as amended, be agreed to, and the motion to reconsider be laid on the table, with no intervening action or debate.

I object to the resolution offered by my colleague from Pennsylvania and ask him and my colleagues to join me in support of this alternative resolution.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the request of the Senator from Connecticut?

The Senator from Pennsylvania.

Mr. TOOMEY. Reserving the right to object, I think the Senator from Connecticut makes a number of important observations and raises a number of very important issues. I think there is an opportunity for the two of us to work together to address some of these. However, my reading of the actual resolution for which he is requesting unanimous consent, in my view, equates outcomes—including deaths but outcomes resulting from malpractice and unsanitary conditions and other completely indefensible practices—equates those with the serial, premeditated, intentional murder of babies. I don't think those things ought to be equated because I think they are of a very different nature.

Furthermore, the resolution of the Senator from Connecticut, it is my understanding, does not call for the investigations that I think are necessary to determine how widespread these practices are, under what circumstances they are occurring, and what more could be done to prevent them.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, being a majority leader is not an easy job whether you are a Republican or a Democrat. Some good things have been happening in the Senate recently, and I think we should credit both the majority leader and the Republican leader with helping to make that happen.

Over the last few weeks we have seen the water resources bill come to the floor. The majority leader allowed Senator BOXER and Senator VITTER to manage the amendment process, to handle the necessary arguments that always occur about what they will be. They came to a conclusion and passed a bill. The bill went through committee, went through the floor. It is a very important bill because it deals with locks, dams, and ports in the United States. We want to make sure that as the Panama Canal is widened and deepened, that ports in the United States are deep enough to receive the bigger ships and that the locks and the dams are in good enough shape so that commerce can move through the company and the jobs can be created. That is an important piece of legislation.

And now we are on the farm bill and we see the Senator from Mississippi and the Senator from Michigan managing a bill. There is plenty of opportunity for amendments, as far as I have been able to tell, and that has been very helpful.

At the same time, we have coming out of the Judiciary Committee, after several days of intense work, a bill on immigration. Probably the four most important words that can be said about the immigration debate is that we are all Americans, and Americans know we must have a legal immigration system if we want to be able to say we are all Americans. And we want one. We don't have an enforceable legal system today. All of us know that. None of us like the status quo, I don't think, and all of us know the President and the Congress are the only ones who can fix it. This is not something we can dump on the mayors or the State legislatures.

Many of us haven't formed a final opinion about this legislation that is coming forward, but I, for one, respect the fact that it has moved; that it has four principal Republican sponsors and four principal Democratic sponsors. It has moved through the committee, voices have been heard, it is coming to the floor, and, again, the majority leader has indicated, and the Republican leader has agreed, there will be a full and open debate so the American people can see it and watch us come to a result.

All those are good things. In addition, so that we might do that, there are a number of nominations about which we are likely to disagree. They will come after that so as not to interfere with the immigration debate.

That brings me to my final point. I would note the fact that with occasional interruptions for debate over whether we are going to go to a budget, which I hope gets resolved, we are on a pretty good path right now. I hope the majority and the minority leaders can see that.

We are moving this afternoon to a vote on a Federal appellate judge for the D.C. Circuit. A major objective of the Democratic side has been to get another judge on that circuit, and the President has nominated a person, Mr. Srinivasan, who, by every account, is an exceptional attorney. He came out of the committee with an 18-to-0 vote and has widespread respect and support.

The only glitch in the process is the majority leader believed it was necessary to file a cloture motion this week, even though the Republican leader had agreed we would have an up-or-down vote on the Tuesday we get back, and every indication is that almost everyone would vote for that judge. That has now been resolved, and we are going to vote this afternoon at 2 p.m. I know better than to predict how the Senate will vote, but I will vote for Mr. Srinivasan, and I suspect he will be easily confirmed.

In all of this the majority leader has believed it was necessary to suggest that somehow there is a problem with the President's nominations being considered by the Senate, so I think it is important that someone other than the Republican leader—because it is his job, really, to defend our side—lay out the facts, and I hope I can do that with some credibility because I worked with my Democratic colleagues at the beginning of the last Congress and at the beginning of this Congress to make it easier for this President and future Presidents to have their nominations considered. We have changed the rules to make it easier.

Just a few months ago, in a long discussion that involved Senators on both sides in a debate on the floor, we made a number of changes to make it easier for a President to have his nominations considered. And 2 years ago we adopted the expedited nominations, where nominations simply come to the desk. If no ÷single Senator wants it sent to committee, it just sits there until all the paper is in, then the majority leader will just move it on. Within the next few days there will be a number of

those that come out of the Health, Education, Labor and Pensions Committee. So that speeds things up.

We removed from the list of nominations about 160 low-level executive nominations. They are not subject anymore to Senate advise and consent. The President may just go ahead and appoint those persons.

We have gotten rid of the secret hold, which was used for a long time to hold up nominees, and even to block them, because no one knew who was doing that. Earlier this year we changed the rules so that when a district judge comes up, there can't be a long debate after the district judge comes to the floor. As a result, things are moving along very well.

So I would like to say there is not a problem with the President's nominations being considered in a timely fashion by the Senate. There is no problem. There is, however, the responsibility for advice and consent. Most of our Founders did not want a king. They created a Congress and they said: Here is an advice and consent. So we now have about 1,000 people the President will nominate whom we are supposed to consider, and we should do that well. That is our job to do, and it is our check on a runaway Executive.

When I first came here, Senator Byrd made wonderful speeches about that. I remember the speeches Senator Kennedy gave from the back row, with that big booming voice of his, about President George W. Bush's recess appointments and how offended he was by those because they offended the Constitution. Senator Byrd, as I mentioned, was very eloquent, going all the way back to President Reagan's days.

So we have always jealously defended the people's right to have an elected group of representatives to check the Executive, and we need to use that in a responsible way. Therefore, it is important to have an accurate report on just how well President Obama is being treated by the Senate in terms of his nominations.

I have just noted that we have changed the rules to make it easier. I did not even say we have even made it easier for the nominees; we set up a working process to make it easier. I like to call it a response to the ''innocent until nominated'' syndrome.

The President picks some well-respecting person from the Midwest and sends his or her nomination to the Senate, and all of a sudden it is as if they were a criminal of some kind. That is because there were so many conflicting forms to fill out it was easy to make a mistake and look as though you were misleading the Senate. We have tried to simplify that, and this President is the first beneficiary of that change.

So this President is the first beneficiary of consecutive Congresses that have changed the rules to reduce the number of potential nominees subjected to advice and consent. We have expedited a number of others, and we have made it easier—easier and quicker—for the President to have his nominations considered. This President is the first to benefit from that.

So what are the results? The majority leader suggested there was delay and obstruction. Those words just come out automatically sometimes when people wake up in the morning on that side of the aisle. But let's look at the facts.

I asked the Congressional Research Service to take a look at the Washington Post article written earlier this year—now, these are not Republican people I am asking, this is the Congressional Research Service—about how President Obama is being treated in terms of his Senate nominees.

According to the Congressional Research Service, as of May 16, 2013—that is last week—President Obama's Cabinet nominees were still, on average, moving from announcement to confirmation faster than those of President George W. Bush or President Clinton. President Obama's nominees were moving from announcement to confirmation, at that time last week, in 50.5 days, George W. Bush averaged 52 days, and President Clinton averaged 55 days.

So let me say that again: President Obama's Cabinet nominees are moving ahead in the Senate more rapidly than those of his two predecessors: one of them President George W. Bush and one of them President Clinton. So there is no delay there that is unusual.

It is not unprecedented, Madam President, for some second-term nominations to take much longer to move from announcement to confirmation than the average. President Clinton's nominee for Secretary of Labor, Alexis Herman, took 135 days; President George W. Bush's nominee for Attorney General, Alberto Gonzalez, took 85 days. I remember the case of one especially distinguished nominee for Secretary of Education by President George H.W. Bush, a former Governor of Tennessee whose name was Alexander. His nomination took 88 days from announcement to confirmation, and President Reagan's nominee for Attorney General, Ed Meese, took nearly 1 year.

Now that is an unusual case, but it is not so unusual for second-term nominees to take a little while—for the Senate to perform advice and consent. And as the Congressional Research Service and the Washington Post have reported in their own analysis, President Obama's Cabinet nominees are being better treated than either President Bush's or President Clinton's in terms of the time it takes to confirm them from announcement to confirmation.

Now, one last thing. What about judges? Sometimes I have heard Senators on that side and Senators on this side get up and give conflicting information about whether judges are being considered rapidly. Here is what the data says about the judicial nomination process.

If Mr. Srinivasan is confirmed today, as I expect he will be, President Obama will have had 20 judges confirmed at this point in his second term, including 6 circuit judges and 14 district court judges. At this point in his second term, President George W. Bush had 4. So that is 20 for President Obama, 4 for President George W. Bush. No unusual delay there.

Apparently, President Obama's nominations are being considered more rapidly than those of President Bush. To be specific, let's go to the district court nominations. We know, with all the talk of a filibuster, in the history of the Senate there has never been a nominee for a Federal district court judge who has ever been denied his seat by a filibuster after that nomination came to the floor. So that needs to be said, too. But right now there are five pending district judge nominations that have been reported from committee that haven't been confirmed.

There have been 33 nominations this year. Fourteen are already confirmed, five are reported from committee, as I said, and await floor action. They were reported in May and April and three of them in March. So there is no big backlog. There are five. They were reported in the last few weeks. So no excessive delay there.

Finally, on circuit court nominations. I mentioned we are likely to confirm one of the three that are today pending, Mr. Srinivasan. Twelve nominations of Federal circuit court judges have been received this year. Six will have been confirmed after this afternoon. That leaves two—two—circuit court judges who have been nominated by the President and await floor action. They were reported by the committee in April and February.

So I can't find any evidence of any delay on Cabinet nominations. In fact, President Obama is being treated better than his predecessors. I don't see any evidence of any delay on judicial nominations. After the vote on Mr. Srinivasan, President Obama will have 20 confirmed in his second term, President Bush had 4. And there are only five pending district court nominations, all reported within the last few weeks. There are only three circuit nominations, one of which is likely to be confirmed this afternoon. On that one, the majority leader indicated Mr. Srinivasan, who has such widespread support on both sides of the aisle, had been waiting forever. Well, he has been waiting a while. President Obama nominated him on June 11, 2012. But why did he wait? Madam President, he had no hearing. Who is in charge of setting hearings? The Democratic majority is in charge of setting hearings. The Republicans can't call a hearing in the Judiciary Committee.

So their nominee, Mr. Srinivasan, sat there all of last year, after June 11, without a hearing. There may have been delay, but that was a self-inflicted delay.

What about this year for Mr. Srinivasan? Here is the timeline. He was nominated again on January 4 by

the President. His hearing was April 10. I don't know why they had to go from January to April to have a hearing, but, again, that is solely within the control of the Democratic majority. He returned his questions—which we all have to do if we are nominated for an executive position—on May 6. That is this month. The committee considered his nomination May 16, which is just last week. They approved it 18 to 0. That is all Democrats and all Republicans voting yes. He came to the calendar of the Senate on May 20. That was on Monday.

The PRESIDING OFFICER. Will the Senator yield?

EXECUTIVE SESSION

NOMINATION OF SRIKANTH SRINIVASAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

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

The legislative clerk read the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided in the usual form.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I will conclude for those who are expecting to do that, but these are timely remarks.

So, Mr. Srinivasan, nominated on June 11, 2012—no hearing by the Democratic majority and the executive committee, I wonder why; nominated January 4 by President Obama this year again, no hearing until April 10. If there is any delay there, it has no fault anywhere on the Republican side. May 6, questions returned; no nominee is considered by the committee until his questions come back; marked up May 16 last week, 18 to 0, unanimous; came to the floor on Monday and the Republican leader moved yesterday to ask unanimous consent that we consider an up-or-down vote for Mr. Srinivasan when we return after a week, which means he would have been fully considered then, to which the majority leader put down a cloture motion.

Now he has removed the cloture motion but there was no need for the cloture motion. The only suggestion may be he did it, he made it so it would look as though there was some delay over here, but there is no delay. Mr. Srinivasan has broad support. We are ready to vote for him up or down. I think it is time we got away from this idea of manufacturing a crisis about nominations when in fact we have made it easier for any President to offer his nominations, and the majority leader and Republican leader agreed at the beginning of this year when we did that, that that was the end of the rule changes for the Congress in this Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I ask unanimous consent to speak for 5 minutes on the Feinstein amendment.

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

Mr. BURR. Madam President, let me first say about the comments of Senator ALEXANDER, you see why he is a former university president, a Governor, a Secretary of Education, a candidate for President, and now some would call him a Senator. I think you would call him a statesman, because he tries to lay it out in a way we can all understand it, with facts and not hyperbole, and this is an opportunity for us on both sides to step back from the brink and actually do the people's business, to get something done, to solve big problems.

I came to the floor to talk on the Feinstein amendment, knowing it is not up for an hour—and I will be very brief, to my colleague from Virginia, because I know he wants to talk about judges—primarily because there is some misinformation that has been stated. Let me recap the tobacco industry in a very brief summary.

Tobacco, like many agricultural products, for years received a price support system that the Federal Government, the Congress of the United States, put in place. A number of years ago, Members of Congress said, for obvious reasons, the Federal Government probably should not have a price support on something we consider not to be best for people's health. At that time farmers reluctantly listened to Members of Congress who said the international market should be open to you and we should do our best to make it unlimited, and we did. At that time we eliminated the price support system.

Senator FEINSTEIN came to the floor—I do not think she did this intentionally—and she said it costs the American taxpayer $10 billion. In fact, there was not one dime of American taxpayer money that went to the tobacco buyer; 100 percent of the cost of the elimination of that program was absorbed by the tobacco companies. So, yes, if the purchase of a pack of cigarettes and the profit that goes to a tobacco company and the $1.01 in Federal taxes they pay per pack of cigarettes is the American taxpayer paying the price of the buyout, she is right. I am not sure you can make that connection.

But I want to state for my colleagues: The Federal Treasury did not pay $10 billion to buy out tobacco farmers. It was the companies, the ones that understand they have to have a viable, abundant source of product. Sixty percent of what we grow in the United States is shipped for export. It does not go to the domestic market.

Let me say to my colleague, if the intention of this is to be punitive to this product, for gosh sakes, come to the floor; change your amendment; let's vote up or down as to whether tobacco is going to be legal. If the purpose here is to suggest we are going to save taxpayer money, let me suggest if you put every tobacco farmer out of business—and this is the commodity that achieves, actually, our best balance of trade in agricultural products—you would make a real long-term mistake. The only thing this commodity, this agricultural commodity, asks is let us participate in the Federal Crop Insurance Program. Without that protection it is impossible for my neighbor, your neighbor, the backbone of the community—a farmer—to go to a bank and say: Can you lend me enough money to plant my crop this year? And if Mother Nature is good and I work hard I am going to be able to sell this product, I am going to be able to pay you back, and I am going to be able to make a profit to feed my family. Without that assurance of a safety net they would never get the bank to loan the money.

This is about availability of capital, this one cost. Why in the world we would pick one commodity out of the entire agricultural industry and say everybody else can participate in the crop insurance program but you can't is insane.

Let me say to my colleague from California, Senator FEINSTEIN, I don't think this was intentional. I think she either got bad staff information or she made a gaffe.

To my colleagues, let me encourage you, vote against this amendment. Don't do this to a piece of the agricultural community that is profitable, that works hard, but, more importantly, contributes a lot to the backbone of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I rise to support the nomination of Srikanth Srinivasan to be judge for the U.S. Court of Appeals for the D.C. Circuit. This matter will be before us for a vote later today. I want to talk for a bit about Sri's significant qualifications. I am going to discount the fact that he was born in Kansas and raised in Kansas, as I was. I will not take that into account. I will discount the fact he lives in Virginia as I do, and focus on other qualifications because he has them by the boatload.

Sri has a wonderful background that equips him for this most important judicial position, and this has been a position that has been vacant since June of 2008. He was an undergraduate and then law degree and then business degree, MBA at Stanford after he grew up in Lawrence, KS. Like many law graduates, his next step was to work in a clerkship with appellate judges. He

worked first for a wonderful Virginia jurist, Judge J. Harvie Wilkinson, who was the chief judge of the Fourth Circuit Court of Appeals headquartered in Richmond. Judge Wilkinson is well known as a superb legal scholar and judge.

After he completed that clerkship, he had the honor of being selected to work as a clerk for Justice Sandra Day O'Connor, also a tremendous honor for a young lawyer. I talked at length with Mr. Srinivasan and heard about the fact that he learned a great deal from both of these judges about judicial temperament and the importance of so many aspects to be a good judge.

Sri had the expertise developed in private practice at one of America's major firms, O'Melveny and Myers. O'Melveny and Myers has had a very significant pro bono practice for years, headed by Bill Coleman, who was a long-time official—one of the lawyers who worked on the Brown v. Board of Education case in the 1950s. Sri eventually became the leader of the appellate practice in O'Melveny and Myers, in that capacity doing good work. He has been a teacher at Harvard Law School.

Probably most specific to the needs of the D.C. Circuit, Sri has had a long career working in the Solicitor General's Office, the key legal office of the United States, charged with representing the United States on important matters before the Supreme Court and the Federal appellate courts. He has worked two stints in the Solicitor General's Office, having worked both under the Solicitor General's Office during President Bush 43's tenure, and then again returning to work as the principal deputy solicitor general under President Obama. In that capacity he has had extensive arguments, more than 20 arguments before the U.S. Supreme Court and numerous appellate court arguments in the Federal appellate courts, including the D.C. Circuit Court for which he is nominated.

Srikanth Srinivasan enjoys broad support. Numerous officials in the Solicitor General's Office under both Democratic and Republican administrations have weighed in on behalf of his candidacy. The ABA, American Bar Association, which looks at candidates and scrutinizes their qualifications, has given him the ''most qualified'' award, their highest recommendation. He comes with significant support in this body and others with whom he has practiced.

The area I probably spent most time with him on as I was interviewing him was the whole notion of judicial temperament. These are important positions, and under the Constitution we grant them to people for life. You can have all the intellectual qualifications, but if you do not have the life experience to enable you to understand situations and pass judgment on matters important to people, and if you do not have the temperament to work in a collegial body—circuit courts, as you know, hear cases generally in panels of three and then occasionally hear cases en banc, the entire list of the circuit court judges for the D.C. Circuit would sit together—it is not enough to be a scholar; you have to be a good listener, you have to be a good colleague. Srikanth Srinivasan's career is a track record of his dedication and ambition, but his temperament is a real tribute to his humility, to his ability to listen not only to litigants but to other judges.

I think these credentials, both his formal credentials—his work experience and temperament—would make him an excellent choice. For that reason I am proud to stand up as one of his home State Senators. I am proud to acknowledge the Judiciary Committee's unanimous vote on his behalf and urge my colleagues today as we move to the vote to support his nomination. None of us will be disappointed in his work as a D.C. Circuit judge.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I voted for this nominee out of committee. I will vote for this nominee on the floor of the Senate. He is well qualified for this position.

I come to the floor not to repeat what a lot of other people have said about this nominee, but the process that was connected with arranging the vote for today's vote. Basically I want to speak about the needless shenanigans that have gone on before we get to this point where we vote at 2 o'clock.

Today's nominee for the D.C. Circuit was voted out of committee 1 week ago, on May 16, a unanimous vote of 18 to 0. He was placed on the Executive Calendar 3 days ago, on Monday, May 20. One day later, on May 21, the Republicans cleared this nominee to have an up-or-down vote when we returned from the Memorial Day recess, but the majority leader was not content to take yes for an answer. One day after this nominee was placed on the Executive Calendar and after Republicans agreed to an up-or-down vote, the majority leader chose to file cloture.

Why file cloture? Why would the majority leader do that on a nominee whom the minority party, the Republicans, were ready and willing to vote on, backed up by the fact that every Republican on the committee voted for this nominee?

There is only one plausible answer: That is part of the majority's attempt to create the appearance of obstruction where no obstruction ever existed. It is pure nonsense. It is a transparent attempt to manufacture a crisis, a crisis that does not exist. The fact of the matter is there is no obstruction and particularly no obstruction on this nominee, and the other side knew it before they filed cloture.

This morning in his opening remarks the majority leader tried to argue he has had to file cloture 58 times. But what the majority leader did this week illustrates precisely why that claim is completely without merit.

What the Majority Leader did fits neatly into the Democratic Majority's playbook.

First, file cloture for no apparent reason, none whatsoever. And then immediately turn around and claim: See, look everybody, we had to file cloture.

The fact is, we are confirming the President's nominee—all nominees—at a near-record pace. After today, the Senate will have confirmed 193 lower court nominees. We have defeated only two. That is 193 to 2, which in baseball terms is a .990 batting average. Anybody would agree that is an outstanding record. Who could complain about 99 percent?

After today—this year alone, the first year of the President's second term—the Senate will have confirmed 22 judicial nominees. Let's compare that to the previous President's first year of his second term—President Bush—when there was a Democratic Congress. In that same period of time in 2005, the Senate had only confirmed four nominees. So that is a record of 22—the first year of this President's second term—compared to only 4 for the first year of President Bush's second term.

If we were treating this President in the same way the Senate Democrats treated President Bush in 2005, we would not be confirming the 22nd nominee, we would be confirming only the 4th. So it should be clear to everyone that these are needless shenanigans.

Anyway, based on that record, what can the Senate Democrats possibly complain about? The bottom line is they can't complain—or they shouldn't complain. That is not based upon rhetoric but based on the record of 22 so far this year and 193 total confirmations for this President versus 2 disapprovals.

Of course, because the record is so good, the other side needs to manufacture a crisis, and that is why the other side filed cloture on this nomination just 1 day after it appeared on the Executive Calendar.

Yesterday, when the majority leader was pressed on why he chose to file cloture 1 single day after his nomination appeared on the Executive Calendar, he pointed to the fact that the nominee was first nominated in the year 2012. But apparently the majority leader was unaware that the chairman of the Judiciary Committee made no effort to schedule a hearing on this nominee until late last year.

Apparently, the majority leader was unaware that by January of this year, we learned the nominee was potentially involved in the quid pro quo that Mr. Perez—the President's nominee for Labor Secretary—orchestrated between the Department of Justice and the city of St. Paul.

I spoke on this issue last week regarding the deal Mr. Perez struck, where he agreed the Department would decline two False Claims Act cases in exchange for the city of St. Paul withdrawing a case from the Supreme

Court. I am not going to go into those details again, but that is a very serious issue. The Department—and as it turns out Mr. Perez in particular—bartered away a case worth about $200 million of taxpayers' money to come back into the Federal Treasury under the False Claims Act. To have that case withdrawn is a pretty serious matter.

As it turns out, the nominee before us today happened to be the lawyer in the Solicitor General's Office who handled the case Mr. Perez desperately wanted withdrawn from the Supreme Court.

So, as would be expected, any Member of the Senate—particularly those who have the responsibility in the minority—needed to know what the nominee knew about the quid pro quo and what Mr. Perez told the committee about that deal.

We needed the documents about this issue, and we needed to speak with the witnesses involved, but the Department was desperate to keep those documents from Congress. They were desperate to keep the witnesses from being involved and interviewed.

The bottom line is that the Department of Justice dragged its feet for months. If the Department of Justice had turned over those documents and made witnesses available way back when we asked for them, the hearing for this nominee could have been one of the first we had this year. Instead, the Department of Justice chose to try their best to keep Congress from getting to the bottom of that quid pro quo, and, frankly, Mr. Perez's involvement in that matter.

If the majority wishes to complain about the nominee having his hearing in April rather than February, they should pick up the phone and call those in charge at the Department of Justice and ask: Why didn't you give Congress the information they needed?

It wasn't the Senate Republicans who withheld the documents, it was the Department of Justice. It wasn't Senate Republicans who held up the nominee's hearing, it was the Department of Justice.

The bottom line is that the Senate is processing the President's nominees exceptionally fairly. I will not repeat those statistics because I have already gone through them in this speech and in previous speeches.

This President is being treated much more fairly than Senate Democrats treated President Bush in 2005.

The fact is this: Filing cloture on this nominee—who will probably pass unanimously—was nothing but a transparent attempt to create the appearance of obstruction.

As I said, I intend to support this nominee, just as I did in committee, and I encourage my colleagues to support the nomination as well.

But as we move forward on these nominees, I wish we could stop these needless shenanigans. I wish the other side would stop shedding those crocodile tears. The statistics of approval by this Senate of judicial nominees, which is 193 to 2, is no justification for any crocodile tears whatsoever.

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.

The PRESIDING OFFICER. The Senator from Delaware.

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

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

Mr. COONS. Madam President, today this body will have the chance to vote on the nomination of the highly qualified Sri Srinivasan for the D.C. Circuit Court of Appeals.

I am a member of the Judiciary Committee and have had the honor and privilege of chairing Mr. Srinivasan's confirmation hearing. I can say, without question, he has the background, skills and, perhaps most importantly, the temperament to serve as a circuit court judge.

He is one of the single most qualified judicial nominees I have seen in my years in this body, and he deserves better than the games which have been played with his confirmation. He already has bipartisan support. Now let's work together and give him a strong bipartisan vote.

The Constitution of the United States gives the Senate the responsibility to advise and consent to the President's nominations for important posts, such as the bench of the D.C. Circuit Court of Appeals. It is certainly our responsibility to review and vet candidates—nominees—who come over from the President. We should not simply serve as a rubberstamp but neither should we be a firewall, unreasonably blocking qualified nominees from service at the highest levels of our government.

Our Nation's courts should be above politics. When the President submits a highly qualified candidate of good character and sound legal mind, as that of Mr. Srinivasan, then absent exceptional circumstances that candidate should be entitled to a rollcall vote.

Up to this point in President Obama's administration—nearly 1,600 days—the Senate has failed to live up to its responsibility and to confirm any nominee to the D.C. Circuit Court of Appeals. The D.C. Circuit Court of Appeals is often called the second most important court in the Nation.

Similar to the Supreme Court, the D.C. Court of Appeals handles cases that impact Americans all over the country and from all walks of life. It regularly hears cases that range very broadly from terrorism and detention to the scope of Federal agency power. Yet today it is critically understaffed. The D.C. Circuit Court of Appeals has not seen a nominee confirmed since President George W. Bush's fourth nominee to that court was confirmed in 2006—7 years ago.

Republicans in this Chamber filibustered President Obama's nominee, Caitlin Halligan, until she ultimately—after hundreds and hundreds of days of waiting across several Congresses—gave up and withdrew. Her opponents said the caseload at the D.C. Circuit was too low and that it did not deserve another judge.

Such concerns about caseload did not prevent the Republican-led Senate from confirming two nominees to the 10th seat on the D.C. Circuit and one to the 11th. Mr. Srinivasan is not nominated for the 10th or 11th seat on the D.C. Circuit but for the 8th.

We need to confirm Mr. Srinivasan and we need to act quickly on the President's next nominee for that court and the one after that.

I believe we have a chance to start fresh with Mr. Srinivasan, who would serve equally well and ably on the D.C. Circuit Court of Appeals, as might Ms. Halligan.

Mr. Srinivasan has a razor-sharp legal mind. He served in the Solicitor General's Office for both Republican and Democratic administrations and has earned the bipartisan support of his colleagues. Twelve former Solicitors General and Principal Deputy Solicitors General wrote a letter supporting his nomination—6 Democrats and 6 Republicans.

The letter, which is signed by conservative legal luminaries such as Paul Clement and Ted Olson, notes that Mr. Srinivasan is ''one of the best appellate lawyers in the country.'' They commented further in the letter and said that he has an ''unsurpassed'' work ethic and is ''extremely well prepared to take on the intellectual rigors of serving as a judge on the D.C. Circuit.''

My point is a simple one: Sri is a capable and, in fact, highly accomplished attorney, with the character and demeanor to serve admirably on this bench, which has sat without a nominee from the Obama administration for the entire time our current President has served.

Sri Srinivasan has earned bipartisan support. Today, let's give him a bipartisan vote.

I thank the Chair.

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. COONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. COONS. Madam President, I ask unanimous consent that any time during quorum calls leading up to the vote be charged equally to both sides.

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

Mr. COONS. Thank you, Madam President.

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.

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

Mr. MORAN. 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. MORAN. Mr. President, I certainly recognize that providing advice and consent of Presidential nominees is one of our most important responsibilities as Members of the Senate, and it is a responsibility that I expect and believe all of us take very seriously.

On a number of occasions, I have had the opportunity to meet Sri Srinivasan, whom President Obama has now nominated to fill a vacancy on the U.S. Court of Appeals for the District of Columbia Circuit. I have found Sri to be a highly qualified candidate who has a distinguished career in the private sector and in the Department of Justice of both Republican and Democratic administrations, for President Bush and President Obama. I announced my support for his confirmation in advance of the Judiciary Committee realizing the same circumstance I realized, which is that we have a very highly qualified individual of integrity who has been nominated by the President. Of course, the Judiciary Committee unanimously supported that nomination to confirm him.

Sri is a fellow Kansan and is one of our State's most accomplished legal minds. He was born in India and moved with his parents to Lawrence, KS, where he graduated valedictorian from Lawrence High School in 1985. As do most Kansans, he enjoyed basketball and at one point in time was a guard on the high school basketball team playing alongside one of our State's most famous athletes, Danny Manning.

After high school, he went to Stanford University, earning a bachelor's degree, an MBA, and a law degree.

Sri served as a clerk for the U.S. Supreme Court and served with Justice Sandra Day O'Connor and later worked in the Solicitor General's Office under President George W. Bush. He became the Principal Deputy Solicitor General in 2011.

Sri has argued more than two dozen cases before the U.S. Supreme Court, and his nomination is supported by 12 former Solicitors General and Principal Deputy Solicitors General evenly split among political parties.

If confirmed today, Sri would become the first South Asian to serve on a Federal circuit court.

I wish to indicate to my colleagues how proud Kansans are of Sri and his success, his accomplishments, and I am pleased to support his nomination. He is one of our Nation's leading appellate lawyers, and I believe he will serve our Nation well on the U.S. Circuit Court of Appeals for the D.C. Circuit.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the U.S. Court of Appeals for the D.C. Circuit has primary responsibility to review administrative actions taken by countless Federal departments and agencies. The court's decisions—including its recent invalidation of President Obama's unconstitutional ''recess'' appointments—often have significant political implications. As a result, this body—the Senate—has a longstanding practice and tradition of scrutinizing nominees to the D.C. Circuit very carefully. When evaluating those nominees, we have also carefully considered the need for additional judges on that court.

In July 2006 President Bush nominated an eminently qualified individual, Peter Keisler, to fill a seat on the D.C. Circuit. I know Peter Keisler. Peter Keisler is among the very finest attorneys I have ever worked with. In fact, most who know him would agree he is among the very finest attorneys in the entire country. He is one who happened to have enjoyed bipartisan support throughout the legal profession at the time of his nomination. Nevertheless, Democratic Senators blocked Mr. Keisler's nomination, and his nomination simply languished in the Judiciary Committee.

At the time a number of my Democratic colleagues signed a letter arguing that a nominee to the D.C. Circuit ''should under no circumstances be considered—much less confirmed—before we first address the very need for that judgeship.'' Those Senators argued that the D.C. Circuit's modest caseload simply did not justify the confirmation of any additional judge to that court.

More than 6 years have elapsed from that moment, but the D.C. Circuit's caseload remains just as minimal as it was back then. The court's caseload has actually decreased since the time Democrats blocked Mr. Keisler. The total number of appeals filed is down over 13 percent, and the total number of appeals pending is down over 10 percent. With just 359 pending appeals per panel, the D.C. Circuit's average workload is less than half of other Federal appellate courts.

Some have sought to make much of the fact that since 2006 two of the court's judges have taken senior status, leaving only seven active judges on the D.C. Circuit. But the court's caseload has declined so much in recent years that even filings per active, nonsenior, sitting judge are roughly the same as they were back then.

Of course, this doesn't account for the six senior judges on the D.C. Circuit who continue to hear appeals and author opinions. Their contributions are such that the actual work for each active, nonsenior judge has declined and the caseload burden for the D.C. Circuit judges is less than it was when the Democrats blocked Mr. Keisler on the basis of declining caseload in the D.C. Circuit. Indeed, the average filings per panel—perhaps the truest measure of actual workload per judge—is down almost 6 percent since the time Democrats blocked Mr. Keisler. And those who work at the court suggest that in reality, the workload isn't any different today than it was back at the time the Democrats blocked Mr. Keisler's nomination to that court.

Much like Mr. Keisler, the D.C. Circuit nominee before us today, Mr. Srinivasan, is exceptionally qualified, and I am pleased to say he enjoys broad bipartisan support from throughout the legal profession.

Unlike what the Democrats did to Mr. Keisler, I will vote to confirm Mr. Srinivasan. I do not believe in partisan retribution and hope that, moving forward, the Senate—whether controlled by Democrats or Republicans at any moment in the future—will rise above such past differences and disputes.

The D.C. Circuit is one area in which we share common ground. Both Democrats and Republicans have argued repeatedly that the D.C. Circuit has too many authorized judgeships. Indeed, while other Federal circuit courts throughout the country struggle to keep up with rising caseloads, in each of the last several years the D.C. Circuit has canceled regularly scheduled argument dates due to a lack of pending cases.

For these reasons I am an original cosponsor of S. 699, the Court Efficiency Act, which was introduced last month. The bill does not directly impact today's nominee, but it will reallocate unneeded judgeships from the D.C. Circuit to other Federal appellate courts where caseloads are many times higher than that of the D.C. Circuit.

Especially after we have confirmed Mr. Srinivasan, I hope Members on both sides of the aisle will join me in ensuring that these unnecessary D.C. Circuit judgeships are reallocated to courts that need those judge slots.

I certainly hope neither the White House nor my Democratic colleagues will instead decide to play politics and seek—without any legitimate justification—to pack the D.C. Circuit with unneeded judges simply in order to advance a partisan agenda.

Now, importantly, it was stated earlier in debate that we should stop ''playing games'' with this nomination. We agree. In fact, we could not agree more. Unfortunately, the only game played was by the majority leader in manufacturing a false impression by filing cloture one day after the nominee was listed on the Executive Calendar and after Senate Republicans agreed to a vote.

It has also been suggested that Senate Republicans have somehow refused to fill this seat or any other on the D.C. Circuit since 2006. Apparently, this is representative of a memory lapse or perhaps they want to rewrite history.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The nomination of Srikanth Srinivasan to the D.C. Circuit Court.

Mr. LEAHY. Thank you, Mr. President.

I am glad to hear what my friend from Utah said about voting for this nominee because this is the second time this year the majority leader had to file cloture on one of President Obama's well-qualified nominees to the D.C. Circuit. Sri Srinivasan is not a nominee who should require cloture, and I am glad he is not going to now that cooler heads have prevailed, but neither was Caitlin Halligan. Caitlin Halligan is a woman who is extraordinarily well qualified and amongst the most qualified judicial nominees I have seen from any administration. It was shameful that Senate Republicans blocked an up or down vote on her nomination with multiple filibusters and procedural objections that required her to be nominated five times over the last three years.

Had she received an up or down vote, I am certain she would have been confirmed and been an outstanding judge on the United States Court of Appeals for the District of Columbia. Instead, all Senate Republicans but one supported the filibuster and refused to vote up or down on this woman, who is highly-qualified and would have filled a needed judgeship on the D.C. Circuit. Senate Republicans attacked her for legal advocacy on behalf of her client, the State of New York. It is wrong to attribute the legal positions a lawyer takes when advocating for a client with what that person would do as an impartial judge. That is not the American tradition. That is not what Republicans insisted was the standard for nominees of Republican Presidents but that is what they did to derail the nomination of Caitlin Halligan.

Also disconcerting were the comments by Republicans after their filibuster in which they gloated about payback. That, too, is wrong. It does our Nation and our Federal Judiciary no good when they place their desire to engage in tit-for-tat over the needs of the American people. I rejected that approach while moving to confirm 100 of President Bush's judicial nominees in just 17 months in 2001 and 2002.

Like Caitlin Halligan, Sri Srinivasan has had an exemplary legal career and has the support of legal professionals from across the political spectrum. Born in Chandigarh, India, he grew up in Lawrence, KS, and earned his B.A., with honors and distinction, from Stanford University. He also earned his M.B.A. from the Stanford Graduate School of Business along with his J.D., with distinction, from Stanford Law School, where he was inducted to the Order of the Coif. At Stanford Law School, Sri Srinivasan served as the Note Editor of the Stanford Law Review. After completing law school, he clerked for Judge J. Harvie Wilkinson III on the U.S. Court of Appeals for the Fourth Circuit and for Justice Sandra Day O'Connor on the U.S. Supreme Court.

Sri Srinivasan has experience in private practice, where he served as a partner and chaired the Appellate Practice at O'Melveny & Myers LLP. He has also served in the Office of the Solicitor General during both the Bush and Obama administrations, where he is currently the Principal Deputy Solicitor General. He has argued more than 25 cases before the U.S. Supreme Court and several cases before the U.S. Courts of Appeal. The ABA Standing Committee on the Federal Judiciary unanimously rated him ''well qualified'' to serve on the D.C. Circuit, its highest rating. The Judiciary Committee reported him a week ago by a unanimous 18-to-0 vote. That means every single Republican on the committee who had a chance to review the nominee's record and to ask him questions supported him.

He was first nominated almost 1 year ago—a longer wait than any other current judicial nomination. His Committee hearing was delayed by 4 months from when I first planned on holding it, at the request of the Republicans. Sri Srinivasan has waited long enough, and, given his unanimous support in Committee, there was no reason to delay his confirmation. The Senate confirmed 18 of President Bush's circuit nominees within a week of being reported by the Judiciary Committee, while not a single one of President Obama's circuit nominees has received a floor vote within a week of being reported. Senate Democrats even allowed a vote on a controversial Fourth Circuit nominee within just 5 days of being reported. By that standard, there is no reason not to vote now on Sri Srinivasan. When confirmed, he will be the first Asian American in history to serve on the D.C. Circuit, and the first South Asian American to serve as a Federal circuit judge.

But, regrettably, even after their unwarranted filibuster of Caitlin Halligan, and even after their efforts to delay Sri Srinivasan's confirmation, Senate Republicans are expanding their efforts through a ''wholesale filibuster'' of nominations to the D.C. Circuit by introducing a legislative proposal to strip three judgeships from the D.C. Circuit.

I am almost tempted to suggest they amend their bill to make it effective whenever the next Republican President is elected. I say that to point out they had no concerns with supporting President Bush's four Senate-confirmed nominees to the D.C. Circuit. They did this even though for the previous President—a Democrat—they said we had too many judges there. But as soon as a Republican came in they suddenly found the need and did confirm four judges to the D.C. Circuit. Those nominees filled the very vacancies for the 9th, 10th, and even the 11th judgeship on the court that Senate Republicans are demanding be eliminated now that President Obama has been reelected by the American people. In other words, filling those seats was okay with a Republican President but not okay with a Democratic President. The target of this legislation seems apparent when its sponsors emphasize that it is designed to take effect immediately and acknowledge that ''[h]istorically, legislation introduced in the Senate altering the number of judgeships has most often postponed enactment until the beginning of the next President's term'' but that their legislation ''does not do this.'' It is just another one of their concerted efforts to block this President from appointing judges to the D.C. Circuit.

In support of this effort, Senate Republicans are citing a subcommittee hearing they held back in 1995 on the D.C. Circuit's caseload in an attempt to eliminate the 12th seat during President Clinton's tenure. They are fond of citing the testimony of Judge Laurence Silberman, a Reagan appointee, that he felt the 12th seat was not necessary. What Senate Republicans do not mention is that Judge Silberman believed that 11 judgeships was the proper number on that Circuit, and that the notion that the D.C. Circuit should have only nine judges was ''quite farfetched.'' I would echo those comments, and note that it is beyond farfetched that the same Senate Republicans who cite Judge Silberman's view on the 12th seat are ignoring the rest of his statement and seeking to reduce the court to eight seats. In fact, we have already acted to eliminate the 12th seat from the D.C. Circuit. What Senate Republicans are now proposing during this President's tenure is the elimination of the 11th, 10th, and 9th seats, as well.

In its April 5, 2013 letter, the Judicial Conference of the United States, chaired by Chief Justice John Roberts, sent us recommendations ''based on our current caseload needs.'' They did not recommend stripping judgeships from the D.C. Circuit but state that they should continue at 11. Four are currently vacant. According to the Administrative Office of U.S. Courts, the caseload per active judge for the D.C. Circuit has actually increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the D.C. Circuit. When the Senate confirmed Thomas Griffith—President Bush's nominee to the 11th seat in 2005—the confirmation resulted in there being approximately 119 pending cases per active D.C. Circuit judge. There are currently 188 pending cases for each active judge on the D.C. Circuit, more than 50 percent higher.

This falls into a larger pattern that we have seen from Senate Republicans over the past 20 years. While they had no problem adding a 12th seat to the D.C. Circuit in 1984, and voting for President Reagan and President George H.W. Bush's nominees for that seat, they suddenly ''realized'' in 1995, when a Democrat served as President, that the court did not need that judge. When Judge Merrick Garland was finally confirmed in 1997, many Senate

Republicans voted against him, because they had decided that the 11th seat was also unnecessary. Senate Republicans then refused to act on President Clinton's final two nominees to the D.C. Circuit, one of whom now serves on the Supreme Court.

In 2002, during the George W. Bush administration, the D.C. Circuit's caseload had dropped to its lowest level in the last 20 years. During that Republican administration, Senate Republicans had no problem voting to confirm President Bush's nominees to the 9th, 10th, and 11th seats. These are the same seats they wish to eliminate now that Barack Obama is President, even though the court's current caseload is consistent with the average over the past 10 years. Maybe they are suggesting people work harder and more effectively if there is a Democrat in the White House than a Republican, but I suspect they may have a different motive. Even on its own terms, it is apparent this has nothing to do with caseload; it has everything to do with who is President.

Contrary to what Senate Republicans are arguing, the D.C. Circuit does not even have the lowest caseload in the country. The circuit with the lowest number of pending appeals per active judge is currently the Eighth Circuit, to which the Senate recently confirmed a nominee from Iowa, supported by the ranking Republican on the Senate Judiciary Committee. I do not recall seeing any bills from Senate Republicans to eliminate that seat.

So I think it depends more on politics than on judicial independence, and that is not a path to follow. The Federal courts have been too politicized as it is. There have been more filibusters and more blocking of judicial nominations by President Obama, than of nominations by any President of either party in the past. It makes me wonder, what is different about this President from all these other Presidents that he is given such a more difficult time—even the blocking, the filibustering of judges supported by home State Republican Senators.

This kind of political falderal with our Federal judiciary has come at a price. The Federal judiciary is losing the perception of independence it had before because it is being seen as being politically manipulated, even though virtually every Federal judge I have met—almost every Federal judge I have met—nominated by either a Republican or a Democratic President has shown independence.

The public gets a view otherwise, especially when they see a number of judicial vacancies where nominations have been made and even nominees who get through the Judiciary Committee unanimously or virtually unanimously then have to wait for months and months, even a year, to finally get a vote, and then only after we have either had a cloture vote or a threat of a cloture vote.

As I have said, I was Chairman of the Senate Judiciary Committee for 17 months at the beginning of President George Bush's term, and we put through 100 of his nominees. Now, in the other 30 months of his first term, with Republicans in charge, they did better. They put through 105. My point being, of course, that we actually moved his judges faster even than Republicans did when they were in the majority. But now the willingness to cooperate demonstrated there has broken down. Now the rules that worked for a Republican President, we are told, cannot apply for a Democratic President—especially this President.

Moreover, the unique character of the D.C. Circuit's caseload means that it is misleading to compare its caseload to that of the other Circuits as part of this effort to eliminate its judgeships. The D.C. Circuit Court of Appeals is often considered ''the second most important court in the land'' because of its special jurisdiction and because of the important and complex cases that it decides. The Court reviews complicated decisions and rulemaking of many Federal agencies, and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases make incredible demands on the time of the judges serving on this Court. It is misleading to cite statistics or contend that hardworking judges have a light or easy workload. All cases are not the same and many of the hardest, most complex and most time-consuming cases in the Nation end up at the D.C. Circuit.

Former Chief Judge Harry Edwards has said:

> [R]eview of large, multi-party, difficult administrative appeals is the staple of judicial work in the D.C. Circuit. This alone distinguishes the work of the D.C. Circuit from the work of other Circuits; it also explains why it is impossible to compare the work of the D.C. Circuit with other Circuits by simply referring to raw data on case filings.

Former Chief Judge Patricia Wald has written:

> The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, healthcare reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions . . . The nature of the D.C. Circuit's caseload is what sets it apart from other courts.

Judge Laurence Silberman has said: ''I very much agree . . . as to the unique nature of the D.C. Circuit's caseload, and therefore do not believe a direct comparison to the other circuits is called for.''

And Chief Justice Roberts, who formerly served on the D.C. Circuit, has noted that ''about two-thirds of the cases before the D.C. Circuit involve the federal government in some civil capacity, while that figure is less than twenty-five percent nationwide,'' and that less time-consuming ''prisoner petitions which make up a notable portion of the docket nation-wide on other courts of appeals—are a less significant part of its work.'' He also described the ''D.C. Circuit's unique character, as a court with special responsibility to review legal challenges to the conduct of the national government.''

The arguments now being made by Senate Republicans to eliminate three seats on the D.C. Circuit are not based on the reality of that court's caseload. Even if we do make these misleading comparisons to other circuits, the arguments ultimately do not withstand scrutiny since other circuits have caseloads that are lower than the D.C. Circuit's. And most do not have the complexity of the cases that come to the D.C. Circuit. So the D.C. Circuit's need for judges will not be met by Sri Srinivasan alone. We must work hard to fill the three additional vacancies currently on that court so the D.C. Circuit can have its full complement of judges to decide some of the most important cases to the American people.

Some have called the D.C. Circuit a court second only to the Supreme Court in its importance. Let's not politicize it. Let's not say here is this rule that applies to a Republican President, and we want an entirely different one with a Democratic President. That does not do the court any good, it does not do the country any good, and it actually is beneath this great body, the U.S. Senate.

Sri Srinivasan is a superbly-qualified, consensus nominee. I am glad the Republican filibuster has come to an end and the Senate is being permitted to vote on this nomination. I will, again, vote in favor of confirmation.

Mr. President, I understand we have a vote scheduled for 2 o'clock.

The PRESIDING OFFICER. The Senator is correct.

Ms. KLOBUCHAR. Mr. President, I come to the floor today in support of the nomination of Sri Srinivasan to the D.C. Circuit Court.

Mr. Srinivasan is an exemplary nominee to the Federal bench, and I am here to encourage my colleagues to confirm him without delay.

Sri Srinivasan is currently the Principal Deputy Solicitor General at the Department of Justice and was previously a partner at the law firm of O'Melveny & Myers LLP.

Born in India, Mr. Srinivasan grew up in Lawrence, KS, and earned his B.A., with honors and distinction, his M.B.A, and his J.D., Order of the Coif, all from Stanford University. After completing law school, Mr. Srinivasan served as a clerk on the U.S. Court of Appeals for the Fourth Circuit, and then for Justice Sandra Day O'Connor on the U.S. Supreme Court.

Mr. Srinivasan has extensive Federal appellate court experience representing pro bono clients, private sector clients, and, in his current post, the U.S. government.

Over the course of his 17-year legal career, Mr. Srinivasan has argued an impressive 24 cases before the U.S. Supreme Court and 9 cases in the Federal courts of appeal. His arguments before the Supreme Court include a wide range of subject matters ranging from the First Amendment, criminal procedure, and foreign sovereign immunity to banking, immigration, and Native American law.

If confirmed, Mr. Srinivasan will be the first Asian American in history to serve on the D.C. Circuit, and the first South Asian American to serve as a Federal circuit judge, which is a very significant milestone.

The non-partisan American Bar Association committee that reviews every Federal judicial nominee gave Mr. Srinivasan its highest possible rating. And a group of solicitors general and principal deputy solicitors general of the United States wrote a letter saying that ''Sri has first-rate intellect, an open-minded approach to the law, a strong work ethic, and an unimpeachable character.''

In addition to his professional accomplishments, Mr. Srinivasan has dedicated substantial time to teaching, mentoring and pro bono representation.

His achievements as a public servant and a private attorney are outstanding, and if confirmed, I have no doubt that he will serve as a committed and distinguished member of the Federal bench.

Mr. Srinivasan has received considerable praise from all parts of the legal community including former Supreme Court Justice Sandra Day O'Connor.

In an interview with The New Yorker last year, Ms. O'Connor said she remembers Sri, ''as a very skilled, intellectually gifted clerk.'' She went on to say that Mr. Srinivasan deserves a smooth ride to confirmation. She said, ''he's not anybody who's been politically active, he's been very serious in his work habit, and people have had an ample opportunity to see his work.''

With a strong vote of confidence from Sandra Day O'Connor, an esteemed former Supreme Court Justice, Mr. Srinivasan has garnered the one of greatest endorsements any nominee to the Federal bench can receive in my view.

Not only is Mr. Srinivasan remarkably credentialed and widely supported, he is nominated to serve on one of the most important courts in the Nation, a court that currently has four of its eleven judgeships vacant.

The D.C. Circuit is widely regarded as the second-most important court in the United States, behind only the U.S. Supreme Court, because of the complexity and significance of the cases it decides.

The court has significant responsibility in deciding cases regarding the balance of powers of the branches of government and actions by Federal agencies that affect our health, safety, and industry.

With the court's current vacancies, the D.C. Circuit caseload per active judge has increased 50 percent from 2005, when the Senate confirmed a nominee to fill the eleventh seat on the D.C. Circuit bench.

Vacancies on this court should only be filled by the best and the brightest legal minds in the country—those who have demonstrated the most sophisticated legal and analytical skills, those who have committed their careers to justice, and those who personify professional excellence and impeccable character.

Based on his impressive qualifications and stature in the legal community, it is clear that Mr. Srinivasan embodies those ideals. I strongly support his nomination to the D.C. Circuit Court.

Mr. DURBIN. Mr. President, I rise to speak in support of the nomination of Sri Srinivasan to serve on the D.C. Circuit Court of Appeals.

There is no question that Mr. Srinivasan has the qualifications and experience to be an outstanding Federal judge. He earned undergraduate, business and law degrees from Stanford. He clerked for Supreme Court Justice Sandra Day O'Connor. He worked at the prestigious law firm O'Melveny & Myers where he chaired the firm's appellate practice group. He has worked for nearly a decade in the United States' Solicitor General's office, where he currently serves as the Principal Deputy Solicitor General. He has argued 20 cases before the United States Supreme Court and worked on many more briefs before that court.

Mr. Srinivasan has also been praised for his independence and his integrity. He has worked for the Solicitor General's office under both Democratic and Republican administrations. His nomination has been strongly endorsed by former Democratic Solicitors General such as Walter Dellinger, Seth Waxman and Neal Katyal, and by former Republican Solicitors General such as Paul Clement, Ted Olson and Ken Starr.

Mr. Srinivasan was reported out of the Judiciary Committee in a unanimous vote. Democrats and Republicans from across the ideological spectrum came together to support his nomination.

I would also note that Mr. Srinivasan's nomination is a historic one. Upon confirmation he will be the first Indian-American to serve on a Federal circuit court. I am glad that the Senate is soon going to vote on Mr. Srinivasan's nomination. This vote is coming not a moment too soon.

The D.C. Circuit urgently needs the Senate to confirm judges to serve on that court. Right now, there are only 7 active status judges on the D.C. Circuit. There are supposed to be 11.

This vacancy situation is untenable. Retired D.C. Circuit Judge Patricia Wald, who served as the chief judge of the Circuit for 5 years, recently wrote in the Washington Post that ''There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.''

In 2010 the President nominated another well-qualified attorney, former New York solicitor general Caitlin Halligan, to serve on the D.C. Circuit, but she was filibustered twice by Senate Republicans.

There were no legitimate questions about Ms. Halligan's qualifications, her judgment, her temperament, or her ideology. She was filibustered simply because some lobbying interests—mainly the gun lobby—did not agree with positions she argued on behalf of her client. She eventually withdrew her nomination.

It is truly unfortunate that Ms. Halligan's nomination was filibustered to death. She deserved better. She would have served with distinction on the Federal bench.

The Senate urgently needs to address the vacancy situation on the D.C. Circuit. We can start by confirming Mr. Srinivasan. We should then work to confirm other qualified nominees to fill vacancies in the D.C. Circuit and across the Federal judiciary.

I urge my colleagues to vote in favor of Mr. Srinivasan's nomination.

I yield the floor.

Mr. LEAHY. Mr. President, I do not see anyone else seeking recognition.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. LEAHY. Madam President, I yield back the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 136 Ex.]

YEAS—97

Alexander	Barrasso	Bennet
Ayotte	Baucus	Blumenthal
Baldwin	Begich	Blunt

Boozman	Heinrich	Paul
Brown	Heitkamp	Portman
Burr	Heller	Pryor
Cantwell	Hirono	Reed
Cardin	Hoeven	Reid
Carper	Inhofe	Risch
Casey	Isakson	Roberts
Chambliss	Johanns	Rockefeller
Coats	Johnson (SD)	Rubio
Coburn	Johnson (WI)	Sanders
Cochran	Kaine	Schatz
Collins	King	Schumer
Coons	Kirk	Scott
Corker	Klobuchar	Sessions
Cornyn	Landrieu	Shaheen
Cowan	Leahy	Shelby
Crapo	Lee	Stabenow
Cruz	Levin	Tester
Donnelly	Manchin	Thune
Durbin	McCain	Toomey
Enzi	McCaskill	Udall (CO)
Feinstein	McConnell	Udall (NM)
Fischer	Menendez	Vitter
Franken	Merkley	Warner
Gillibrand	Mikulski	Warren
Graham	Moran	Whitehouse
Grassley	Murkowski	Wicker
Hagan	Murphy	Wyden
Harkin	Murray	
Hatch	Nelson	

NOT VOTING—3

Boxer	Flake	Lautenberg

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

AGRICULTURAL REFORM, FOOD, AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. I have spoken to the managers of the bill, and they have one vote scheduled right now. They expect—they hope—they can have a couple more today, maybe even three today, but they are not sure. It will have to be done by consent. They are confident they can get that done. We will have to wait and see.

When this vote is over, we should have in the near future an idea of what we are going to finish today. If we are here and we have a few more votes, it should not be past 5:00. We will see. We are going to finish today sometime—hopefully soon.

A decision is being made as to what we are going to do when we get back. The managers of this bill are trying to come up with a finite list of amendments. They hope to be able to do that today.

Then we will make a decision on whether we are going to move to immigration when we get back or wait a week. I have spoken to the Gang of 8 today, and they are going to give me some indication of what they want to do. I have also spoken to the chairman of the committee, and that decision should be made very soon. We will have a vote on the Monday we get back.

AMENDMENT NO. 923

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 923, offered by the Senator from California, Mrs. FEINSTEIN.

Mrs. FEINSTEIN. Madam President, this amendment is offered on behalf of Senator MCCAIN and myself.

Ladies and gentlemen, tobacco is not just another crop. It is the largest preventable cause of cancer deaths in this country. Exactly 443,000 people die every year. It costs Medicaid an additional $22 billion.

In 2004 a special assessment of $9.6 billion was authorized to buy out tobacco farms in the United States. That has 1 more year to run.

We subsidize tobacco crop insurance. We should not. This country should become tobacco-free. It will save lives.

I urge you to support this amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. I speak in opposition to the amendment.

Let me say to my dear friend from California, whom I really respect, the tobacco buyout was not paid by taxpayers, it was paid by the tobacco companies. It happened several years ago. The only program tobacco farmers participate in today is crop insurance, like every other agricultural product in America. Without that safety net, those farmers can't go to the bank and get capital to plant their crops.

Although I think we can all agree that tobacco is not healthy for you, some Americans make the decision to do it because it is legal. Eliminate the American tobacco farmer and you will replace them with tobacco grown in Zimbabwe and Brazil—around the world. If we want to outlaw tobacco, let's have that vote, but don't walk away and believe that a vote eliminating crop insurance is going to change the health care of the American people as it relates to this product.

I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. All time has expired.

Mrs. HAGAN. Madam President, I request 1 minute.

The PRESIDING OFFICER. Is there objection?

Mrs. FEINSTEIN. I request 1 minute to respond to Senator BURR, if I may.

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

Without objection, it is so ordered.

The Senator from North Carolina.

Mrs. HAGAN. Madam President, I too rise to express strong opposition to the amendment. This amendment would prevent our tobacco growers from being eligible for Federal crop insurance. This amendment would do significant harm to the small tobacco farmers in North Carolina and in other parts of the country. There are 2,000 farmers in North Carolina who would be affected, and it would be devastating to them and their families. Without access to crop insurance, they wouldn't be able to borrow money from the banks to receive financing.

It does nothing to alter the amount of tobacco used in our country. Demand will be filled by foreign imports, probably from Brazil and other countries. It would put our American farmers out of work.

For all of these reasons, I urge my colleagues to vote no on this amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, we are not talking about eliminating crop insurance. There are plenty of crops that don't have crop insurance, but this crop does. We are talking about eliminating the Federal subsidy, which amounts to $30 million-plus a year for crop insurance.

With respect to my distinguished friend and colleague on the other side of the aisle, I misspoke once today. This is an assessment from the tobacco industry. I thought I straightened that out. But the assessment that paid for the buyout of $9.6 billion is what I am speaking of.

But this is a Federal subsidy on crop insurance. You can still get crop insurance, but it won't be federally subsidized.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

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

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 137 Leg.]

YEAS—44

Ayotte	Hatch	Murray
Baldwin	Heinrich	Reed
Blumenthal	Heller	Risch
Brown	Johnson (SD)	Rockefeller
Cantwell	Johnson (WI)	Sanders
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Lee	Shaheen
Coats	Manchin	Toomey
Collins	McCain	Udall (CO)
Crapo	McCaskill	Udall (NM)
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	

NAYS—52

Alexander	Fischer	Nelson
Barrasso	Graham	Paul
Baucus	Grassley	Portman
Begich	Hagan	Pryor
Bennet	Harkin	Reid
Blunt	Heitkamp	Roberts
Boozman	Hirono	Rubio
Burr	Hoeven	Scott
Chambliss	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Stabenow
Coons	Kaine	Tester
Corker	King	Thune
Cornyn	Landrieu	Vitter
Cowan	Leahy	Warner
Cruz	McConnell	Wicker
Donnelly	Moran	
Enzi	Murphy	

NOT VOTING—4

Boxer	Lautenberg
Flake	Levin

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, through no one's fault but my own, I got here a couple of minutes late for the last amendment, the vote on the Feinstein amendment. I would have voted aye had I gotten here in time.

The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that the following first-degree amendments be in order to be called up: Hagan No. 1031, and Durbin-Coburn No. 953; that we have 5 minutes of debate on the Hagan amendment, that there be 10 minutes allotted to Senators Durbin and Coburn for their amendment, and I reserve 5 minutes I would control on their amendment; that we have a vote then at 3:15, and that when we vote in relation to the amendments we proceed to the votes in the order listed; that no second-degree amendments be in order to either amendment prior to the votes; that there will be 2 minutes equally divided between the votes; and then finally, upon disposition, Senator MERKLEY will be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Madam President, we have no objection.

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

The Senator from North Carolina is recognized.

AMENDMENT NO. 1031

Mrs. HAGAN. Madam President, I ask unanimous consent to call up amendment No. 1031.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mrs. HAGAN] proposes an amendment numbered 1031.

Mrs. HAGAN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize the use of the insurance fund to reduce fraud and maintain program integrity in the crop insurance program)

On page 1076, between lines 17 and 18, insert the following:

SEC. 110 ___. CROP INSURANCE FRAUD.

Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended by adding at the end the following:

''(C) REVIEWS, COMPLIANCE, AND PROGRAM INTEGRITY.—For each of the 2014 and subsequent reinsurance years, the Corporation may use the insurance fund established under subsection (c), but not to exceed $5,000,000 for each fiscal year, to pay the following:

''(i) Costs to reimburse expenses incurred for the review of policies, plans of insurance, and related materials and to assist the Corporation in maintaining program integrity.

''(ii) In addition to other available funds, costs incurred by the Risk Management Agency for compliance operations associated with activities authorized under this title.''.

Mrs. HAGAN. Madam President, I rise today to offer an amendment to make sure we are doing all we can to prevent fraud and abuse in the Federal Crop Insurance Program. The issue of fraud in this program hit home for me in March of this year when the Justice Department announced a $100 million crop insurance fraud case in eastern North Carolina, the largest ever of its kind. Forty-one defendants were found guilty and many are serving prison time for profiting from false claims for losses of soybeans, tobacco, wheat, and corn.

Following this incident I regularly have farmers coming up to me, telling me they are nervous, nervous that the actions of a few bad actors will lead the Federal Government to cease providing crop insurance assistance. In these difficult budget times, these are valid concerns. For Federal assistance to continue, the integrity of these programs must be rock solid. Crop insurance fraud not only harms the integrity of Federal safety net programs and increases the cost to taxpayers, it also drives up the cost of the insurance program for our honest, law-abiding farmers.

The amendment I am offering would provide additional tools to the Risk Management Agency to analyze and combat fraud, waste, and abuse. The Risk Management Agency can expand the sampling requirements to test for and address the concerns with these improper program payments. This is in accordance with the Federal Improper Payments Information Act and the Improper Payments Elimination and Recovery Act, as recommended by the office of the inspector general. The Risk Management Agency can increase the number of reviews of the approved insurance providers conducted each year. Currently we are able to review only about one-third of these providers due to our resource constraints. It also will provide additional support for data-mining activities to detect the fraud and abuse in the program and develop proactive underwriting and loss adjustment applications to minimize the scope for such activities to occur.

The farm bill before us now includes extensive reforms to create a host of new safety net programs. As the complexity of these programs grows, the resources needed to oversee these programs are actually shrinking. This amendment will provide the resources necessary to proactively detect and combat fraud and abuse. Funding for this amendment will come out of the general savings contained in the underlying bill. The cost of this amendment is minimal and I believe this investment will generate substantial savings for taxpayers, expanding our efforts to tackle the fraud and abuse in the crop insurance program. Protecting the integrity of these programs is critical to ensuring the safety net programs are available for the vast majority of our farmers who are honest, and to avoid undermining public confidence in these programs.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I support the amendment offered by the Senator from North Carolina. This amendment would provide additional support for data-mining activities to detect fraud. It would develop proactive underwriting and loss adjustment applications to minimize the scope for such activities to occur. It would help reduce improper payments through better controls and reviews of policies. All of these will result in saving taxpayer money and ensuring program integrity in the long run.

I urge approval of the amendment.

The PRESIDING OFFICER (Ms. WARREN). Who yields time?

The Senator from Illinois.

AMENDMENT NO. 953

Mr. DURBIN. Madam President, how much time remains for the Durbin-Coburn amendment?

The PRESIDING OFFICER. Ten minutes.

Mr. DURBIN. Please notify me when I have used 2 minutes.

The PRESIDING OFFICER. Yes, the Chair will.

Mr. DURBIN. The Durbin-Coburn amendment says this: We have the Crop Insurance Program in America. Farmers buy crop insurance because they could have a drought, flood, lose their crop, or the market price could fall down to nothing, so they buy insurance to cover the loss. However, it isn't really insurance as we understand insurance. It is not like fire or auto insurance because farmers don't pay enough in premiums to cover the actual losses paid out by crop insurance.

In fact, the farmer's contribution to crop insurance is only 38 percent of the actual premium cost. Who pays the rest? Hold up your hand, America. All the taxpayers in this country subsidize crop insurance—62 percent. What did it cost us last year? Over $7 billion, and then an additional $1 billion to administer the program.

Here is what this amendment says: We stand behind crop insurance. We believe in crop insurance, but for that

tiny 1 percent of farmers across America making over $750,000 a year, their Federal subsidy will be cut from 62 percent, on average, to 47 percent. They can afford it, and over the span of 10 years we will save over $1 billion. That is money we can better spend either to reduce our debt or on critical programs for this country.

I want farmers to have crop insurance, but I want those who are doing so well in this system and getting hundreds of thousands of dollars of Federal subsidy to show a little bit of sacrifice on their part. Keep this program sound and keep it fair. The Durbin-Coburn amendment moves in that direction.

I urge my colleagues to vote for this amendment.

I yield the floor to my friend from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, 4 percent of the farmers in this country receive 33 percent of the benefits from crop insurance. I don't think it could be said any better than Senator DURBIN has said it. The point is, what we ought do is make sure there is a safety net, and crop insurance is the way to do that. But like every other program, we eventually are going to ask those who have more to participate more.

I have the location and how much the top five farmers in this country actually get. The No. 1 farmer in the country gets $1.9 million worth of subsidies a year. All we are going to do is cut his subsidy to $1.6 million. His income is far in excess of $750,000.

The No. 2 farmer is from Washington State. We will cut his subsidy from $1.7 million to $1.4 million, and, of course, he made far more than that in the last year and in the previous years.

No. 3, located in Minnesota, we are going to cut from $1.6 million to $1.4 million. We are still going to subsidize $1.4 million a year for this one individual who is going to make in excess of $2 million this year.

All we are asking is to appropriately limit the benefits that are coming from borrowed money against our children's future for the very wealthy in this country.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, while I very much appreciate the amendment of Senator DURBIN and Senator COBURN, I urge my colleagues to oppose this amendment.

Crop insurance is insurance, and the farmer gets a bill not a check. They get a bill. The question is whether we are going to provide a discount so it is an affordable policy.

We ended subsidies through direct payments. We want them to move to a voluntary system of crop insurance. The bill they get has to be a bill they can afford to be able to provide the coverage, and then there is no payout unless they have a loss, such as a flood, drought, or whatever has happened. It is insurance.

There are several reasons this is not the same vote the Senate took last year on this amendment. With the historic agreement to attach conservation compliance to crop insurance—potentially reducing the acres and numbers of producers covered by crop insurance—will only reduce the environmental benefits and could lead to draining wetlands and plowing highly erodable land.

Let me say this another way: Of course most of the crop insurance goes to the largest farmers because they have the most land to insure. Just by definition, the larger the insurance policy, the more they are trying to cover. The question is—and the reason conservationists and environmentalists have come together—is because they want the large tracts to become conservation compliant.

There is even more environmental impact on the large tracts than on the small tracts, which is why we saw this historic agreement between 30-some different farm, environmental, and conservation groups to say: We will support crop insurance, but you have to do conservation compliance on all of the land.

Limiting crop insurance support to producers will cause producers with large pieces of land to leave the insurance system, losing the conservation benefits and possibly increasing the costs, again, to smaller providers. If everybody is not in, then the cost goes up for who is in.

In fact, we know if we take the largest purchasers out, it is estimated we could see premiums go up nearly 40 percent for those who are currently in the system, and we are more likely to go back to ad hoc disaster assistance.

In the drought of 2012, one of the worst on record for U.S. farmers, there were no calls for our crops to receive ad hoc disaster assistance. The corn, wheat, soybean growers, and others across the country were able to survive. Why? Because of crop insurance, and it worked.

I urge colleagues to take a second look at this. We are talking about preserving a historic agreement that came together around conservation compliance. We want to make sure all of the land that is in crop insurance is covered, and we are protecting our soil and water.

I ask for a ''no'' vote on the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. The No. 1 person who cares about the environmental quality of their land is the farmer. The bigger the farmer, the more they care.

The No. 4 farmer, as far as crop insurance in the country, farms 105,000 acres. The average farmer in Oklahoma has 160 acres. They will make an economic decision, and if a 15-percent bump in their premium will cause them to go out, they will go out. But they will not go out because it is too much of a sweetheart deal. We are still going to pay almost half of their crop insurance—50 percent.

Does anybody else have that kind of deal going? Nobody else has that kind of deal going.

What we are saying is, let's save some money and ask those who are more well endowed with benefits and profits to pay a fairer share of what they should be paying based on the benefits they get.

The one thing the chairwoman didn't say is these are the guys who collect the big bucks when there is one. They do pay a portion of it, but their payouts are hundreds of times higher than the average farmer.

They will make an economic decision, and they are not going to walk away from this because it is still—even at 48 percent—too sweet of a deal for any of them to walk away. There is no study that says they will walk away.

Wait and see. If they walk away, Senator DURBIN and I will walk down and offer mea culpas on the Senate floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. I appreciate the confidence my friend from Oklahoma has about what business decisions will be made. Let's assume they don't walk away from crop insurance; they will be walking away from conservation compliance if they are not required to do that.

If this agreement falls apart—and it is an agreement that was delicately put together with over 30 different farm organizations, as well as conservation and environmental folks, to work together to support crop insurance. But to require environmental compliance—they may or may not make decisions about crop insurance. I do know if they do leave, the folks in the program, which are small- and medium-sized programs—as a matter of economics, like any other kind of insurance—will see their costs go up. We do know that.

We also have this broader question that relates to the large farmers the Senators are talking about where the benefit to having comprehensive conservation compliance for our country is a benefit we want to make sure we keep intact. It would be undermined with the passage of this amendment.

Mr. COBURN. Madam President, how much time remains?

The PRESIDING OFFICER. Senators DURBIN and COBURN have 5 minutes remaining, Senator HAGAN has 1 minute remaining, and Senator STABENOW has 1 minute remaining.

Mr. COBURN. Let me just make the point. The large farmers I know in Oklahoma really don't want the government telling them what kind of agreement they are going to have with their crop insurance and environmental things. We already have a ton of rules.

What I do know is there is nobody in Oklahoma who cares more about the environment than our farmers. I disagree there is a disconnect if we limit

the crop insurance subsidy to the very large farmers in Oklahoma and that they are not going to do what is in the best interests of the environment since it is a benefit to their own economic well-being.

We understand a deal was cut to get us to where we are on the bill, and we are not trying to disturb that. We don't want to disturb that, but we cannot continue to subsidize the very well heeled in this country to the same level that we try to protect those who are marginal. We just cannot do it.

We could have made this a whole lot different. We could have lowered it even lower. We didn't do that. The average median family income in this country is less than $60,000. We are talking about almost 15 times more than the average family in this country makes, and saying: If you make more than that, maybe you could take a little trim off the subsidy of your crop insurance. That is not an unfair question.

I yield to my colleague from Illinois.

Mr. DURBIN. I thank the Senator from Oklahoma.

Let's get it straight: Every farmer buying crop insurance gets a subsidy. The question is, How big is the subsidy? Is it 62 percent of the actual premium cost—that is what they are all receiving now—or will it be 47 or 48 percent, which is what we are suggesting, for 1 percent of the farmers, of the wealthiest farmers.

How many farmers are we talking about? There are roughly 2 million farmers in America. The people we are talking about number 20,000. There are 20,000 farmers who would be affected by our amendment. One would think we are about to destroy agriculture in America. There are 2 million farmers, and all of them get a subsidy.

Senator COBURN and I are saying: Let's nix the subsidy for the wealthiest. What we hear is that is too much to ask—it is too much sacrifice. I don't think so.

One example in Illinois—and I will not read the examples from other Midwestern States—a corn and soybean grower received $740,000 in premium subsidies to cover the crops he planted in my State in 18 counties. There are 102 counties in Illinois. We would cut his subsidy from $740,000 to $639,000. Does anyone think he will notice? Does anyone think he will stop buying crop insurance on what he has planted in 18 counties? I don't think so.

At a time when we are asking people in the Head Start Program to make a sacrifice across America, can we at least ask for a little bit of a sacrifice from the 20,000 of the wealthiest farmers out of 2 million? I don't think it is asking too much.

Madam President, I ask that the amendment be called up for consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois, [Mr. DURBIN], for himself and Mr. COBURN, proposes an amendment numbered 953.

The amendment is as follows:

(Purpose: To limit the amount of premium subsidy provided by the Federal Crop Insurance Corporation on behalf of any person or legal entity with an average adjusted gross income in excess of $750,000, with a delayed application of the limitation until completion of a study on the effects of the limitation)

On page 1101, between lines 5 and 6, insert the following:

SEC. 11_____. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

''(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

''(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term 'average adjusted gross income' has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)).

''(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of $750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

''(C) APPLICATION.—

''(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

''(I) the overall operations of the Federal crop insurance program;

''(II) the number of producers participating in the Federal crop insurance program;

''(III) the level of coverage purchased by participating producers;

''(IV) the amount of premiums paid by participating producers and the Federal Government;

''(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

''(VI) different crops or growing regions;

''(VII) program rating structures;

''(VIII) creation of schemes or devices to evade the impact of the limitation; and

''(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

''(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

''(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than $750,000;

''(II) result in a decline in the crop insurance coverage available to producers; and

''(III) increase the total cost of the Federal crop insurance program.''.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, it was my understanding that the consent was for the Hagan amendment and then the Durbin-Coburn amendment. So if we could proceed in that order—

The PRESIDING OFFICER. That is the order in which they will be voted.

Mr. COBURN. Madam President, I ask for the yeas and nays on our amendment and yield back our time.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1031

Ms. STABENOW. Madam President, I ask for the yeas and nays on the Hagan amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are so ordered.

Ms. STABENOW. We yield back all time.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to amendment No. 1031.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Nevada (Mr. REID) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), and the Senator from Oklahoma (Mr. INHOFE).

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—94

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Barrasso	Grassley	Paul
Baucus	Hagan	Portman
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Risch
Blunt	Heitkamp	Roberts
Boozman	Hirono	Rockefeller
Brown	Hoeven	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Cowan	McCain	Vitter
Crapo	McCaskill	Warner
Cruz	McConnell	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Mikulski	Wyden
Feinstein	Moran	
Fischer	Murkowski	

NOT VOTING—6

Boxer	Heller	Lautenberg
Flake	Inhofe	Reid

The amendment (No. 1031) was agreed to.

AMENDMENT NO. 953

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 953, offered by the Senator from Illinois, Mr. DURBIN.

Who yields time?

The Senator from Illinois.

Mr. DURBIN. Madam President, I am cosponsoring this amendment that says the wealthiest 20,000 farmers in America will pay slightly more for their crop insurance so the program will be a sound program for all farmers.

I urge my colleagues, in the name of deficit reduction and making this a good program, to vote yes on the Durbin-Coburn amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I would urge a ''no'' vote for a number of reasons, but let me simply say the problem with increasing crop insurance premiums by about 40 percent, which is what this does, is we are going to reduce participation in crop insurance, reduce coverage, and drive up premiums. Most important for me, we have a historic agreement to tie crop insurance to conservation compliance, and this would undermine that effort.

I would urge a ''no'' vote.

Before proceeding, I wish to thank everyone for their good work up to this point and announce there will be no further votes. The next vote will be at 5:30 p.m. on the Monday we return, and we will proceed and complete the bill.

I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 953.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

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

The result was announced—yeas 59, nays 33, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—59

Ayotte	Franken	Murray
Baldwin	Graham	Nelson
Begich	Grassley	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Brown	Johnson (SD)	Reid
Burr	Johnson (WI)	Rubio
Cantwell	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Scott
Casey	Lee	Sessions
Coats	Levin	Shaheen
Coburn	Manchin	Tester
Collins	McCain	Toomey
Coons	McCaskill	Udall (CO)
Corker	Menendez	Udall (NM)
Cornyn	Merkley	Warren
Cruz	Mikulski	Whitehouse
Durbin	Murkowski	Wyden
Feinstein	Murphy	

NAYS—33

Barrasso	Gillibrand	McConnell
Baucus	Hagan	Moran
Blunt	Harkin	Pryor
Boozman	Heitkamp	Risch
Chambliss	Hirono	Roberts
Cochran	Hoeven	Sanders
Cowan	Isakson	Shelby
Crapo	Johanns	Stabenow
Donnelly	Kaine	Thune
Enzi	Landrieu	Warner
Fischer	Leahy	Wicker

NOT VOTING—8

Alexander	Heller	Rockefeller
Boxer	Inhofe	Vitter
Flake	Lautenberg	

The amendment (No. 953) was agreed to.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 978

Mr. MERKLEY. Mr. President, I ask unanimous consent that the pending amendment be set aside and that my amendment No. 978 be called up.

Mr. COCHRAN. Mr. President, I object to the request.

The PRESIDING OFFICER. Objection is heard.

Mr. MERKLEY. Mr. President, I regret that we have heard an objection to pulling up this amendment. Many may not understand that to pull up an amendment and to have it considered in the Senate takes unanimous consent. All 100 have to agree.

My colleague has objected, making it impossible to consider an amendment that should be debated here on the floor of the Senate because this amendment is about good policy and good process.

Not so long ago, in the continuing resolution, a provision was slipped in by the House of Representatives. Because this was a must-pass bill under tight time constraints, it also slipped through the Senate with no debate. And what did this legislation do, the Monsanto protection act? This legislation does something that I think most would find astounding. It allows the unrestricted sale and planting of new variants of genetically modified seeds that a court has ruled have not been properly examined for their effect on other farmers, the environment, and human health.

Obviously, this raises a lot of concerns about the impact on farmers and the impact on human health, but there is even more. The fact that the act instructs the seed producers to ignore a ruling of the court is equally troubling. It raises profound questions about the constitutional separation of powers and the ability of our courts to hold agencies accountable to the law and their responsibilities.

I can tell my colleagues that this process and this policy has provoked outrage across the country. When I held townhalls in Oregon after this happened, at every townhall it was raised by farmers concerned that this would endanger the crops they were growing and hoped to export overseas. I have received over 2,200 letters on this topic.

I am very hopeful that when we come back next week, we can have a full debate on this amendment, that it won't be objected to, and that certainly there will be no opportunity of any kind for this policy to be extended because it hurts a process of holding our departments accountable for enforcing the law, and it provides a policy of overriding the court order designed to protect other farmers, to protect the environment, and to protect human health, and that is absolutely unacceptable.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I would like to respond to my friend Mr. MERKLEY.

This act, which I would think would more properly be called the farmer assurance act, was passed by both the House and the Senate and signed into law by President Obama in March of 2013, March of this year.

Many have claimed it was never publicly debated and it was slipped into the bill by the House of Representatives, as my good friend said on the floor a minute ago, and passed the Senate without debate. Now, this was a big bill, I will admit that, and there was a lot of debate.

While that would certainly be, I am sure, what Mr. MERKLEY believes happened, I don't think the facts would bear that out. In fact, this language originated, as he said, and was passed by the House after it was debated in committee, and it was posted for several months. This was not mystery language.

In fact, on June 6, 2012, the House publicly posted their resolution that included this in the Agriculture appropriations bill. It was available on the House Web site from that point on. Section 733 of the House bill is identical to the farmer assurance language included in the final fiscal year 2013 appropriations bill that was passed by the Congress.

On June 19, 2012, the House Agriculture appropriations bill was passed out of committee. That bill included this exact language. That was June 19, 2012.

The continuing resolution, actually, on the AG/FDA—the Agriculture, Rural Development, Food and Drug Administration—bill included a coming together of these two bills.

The CR—the continuing resolution—included items in the Senate bill that dealt principally with agricultural research that the House didn't have, and there were provisions in the House version like this one that the Senate accepted.

The language was publicly available and posted as part of the agreed-to appropriations bill for 9 days before the vote.

A week before the vote, Senator TESTER filed an amendment which is exactly like the amendment we just heard about today because it would have struck this provision. On that same day, Senator TESTER spoke at length on the floor about his amendment. This was a week before the continuing resolution was passed.

I don't mind having a debate about the provisions. I do mind the idea that somehow nobody knew about this. Now, I can't watch the debate for every Member of the Senate and say: Here is what you should have been paying attention to that one of our colleagues said, but it was fairly substantial and took some time, and it was a week before we voted.

By the way, nobody in the Senate proposed this provision. Nobody put it in the House bill, as some have contended. But I do think this provision, as it turns out, this policy, protects farm families. That is why it was supported by the American Farm Bureau Federation, the American Council of Farmer Cooperatives, the American Soybean Association, the National Association of Wheat Growers, the Congressional Hunger Center, the National Corn Growers Association, and others.

Many have incorrectly claimed that this language gives priority to the needs of a small number of businesses over the rights and needs of the American consumers. I don't think that is true either. This provision doesn't protect any seed company—Monsanto or Pioneer Seed—or even the U.S. Department of Agriculture. It would help the family who planted a crop that was legal to plant.

My mom and dad were dairy farmers. The one thing I do know about the farming cycle is that once you have made a decision to plant a crop, it is usually too late to plant another one, and there are times when it is absolutely too late to plant another crop. So what does your family do that year when the crop the government told you you could plant, some Federal judge decides you can't plant it, only to have maybe another—in the few cases where this has happened—other Federal judges later say that the first Federal judge was wrong and that those crops were legal to be planted and legal to be harvested.

Both challenges, by the way, were about what environmental impact this might have if something happened from one property to another. There was never a question in those two cases about the safety of the food.

This provision allows the Secretary of Agriculture to create a way for those farm families to sell that crop, but it doesn't require the Secretary do that.

Remember, the U.S. Department of Agriculture has already said: This is a crop that we have deregulated. It has heavily regulated these kinds of crops until the Secretary of Agriculture says it is not, and when the Secretary of Agriculture says it is not, then anybody who wants to can plant these crops. This gives the farmers and their families the assurance that a legally planted crop is likely to be able to be harvested.

In addition, the authority granted to the USDA in this language was only temporary. It was in the House bill, and it lasts until September 30 of this year. The Secretary of Agriculture said he already had the authority. It didn't seem to me that the return for ag research and other things we had in our bill—that repeating the authority the Secretary of Agriculture said he had and had used was a bad thing.

It basically tells the Secretary of Agriculture: If you agree with the court, by the way, and don't think you did your job and you don't intend to appeal the case, you don't have to do anything that allows a crop to be harvested. But if you still think you were right and you are going to appeal that case, you have the authority, if you want to use it, to figure out how to let that crop be harvested for that year and that time.

USDA can determine at any time that a biocrop should not be approved, and USDA can pull its approval on a crop that it has approved. FDA also has to approve the food value of these things before they can go into food.

This language doesn't require USDA to approve biotech crops. It doesn't prevent individuals from suing the government over a biotech crop approval. Ultimately, this language simply codifies the authority the Secretary believes he had.

As recently as May 9 of this year, Secretary Vilsack testified before the Appropriations Agriculture Subcommittee and said this language ''doesn't necessarily do anything I can't already do. We're going to make these decisions based on the science and based on the law, which is the way they ought to be made.''

Unfortunately, if you took a quick search of the Internet, you wouldn't find out these facts. But we have the advantage that we can search actually what the law said, not what somebody else said it might have said.

These provisions protect farm families and their livelihoods, and that is why they are supported by some groups I have already mentioned and some I haven't: the American Farm Bureau Federation, National Council of Farmer Cooperatives, National Soybean Association, National Association of Wheat Growers, the Congressional Hunger Center, National Corn Growers Association, National Cotton Council, American Sugarbeet Growers Association, the Agriculture Retailers Association, the Biotechnology Industry Organization, the American Seed Trade Association, and many other groups.

Facts are stubborn, and the law here is easy to find and read, and it doesn't say anything about protecting anybody because, frankly, you can't sue these companies anyway. They sold you a legal product. The only people protected here are the people who have put the seeds in the ground. A farmer can't put those seeds in the ground in August or September and expect to harvest a crop that year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I would like to take a few moments to thank colleagues for their work this week, to thank my partner Senator COCHRAN and both of our staffs, who have been working very hard to complete the process of this very important jobs bill called the farm bill.

Let me take a moment to remind everyone that we are talking about 16 million jobs in America that come because of agriculture, because of what we do in the food industry altogether. It is incredibly important we complete this work. I am very confident when we come back into session in another week that we will complete our process.

I thank our majority leader and the Republican leader for their support in our moving through this process, and certainly our majority leader, Senator REID, who has been incredibly supportive in working with us and giving us the time to come directly from committee to the floor of the Senate and to work with colleagues through amendments on both sides of the aisle to get this done. We are doing this the way we have always done it, which is in a bipartisan fashion, working through both Democratic and Republican amendments. At the end we will have produced what I believe is the most reform-minded farm bill in decades.

Let me also remind my colleagues we have before us a bill that is different than anything I can think of actually in terms of deficit reduction. We have a bill that has over $24 billion in spending cuts put forward by our committee and supported by the communities that are affected—$24 billion in deficit reduction, which is much more than we would be required to do if we went with the across-the-board cuts that have been so debated with the sequester. The Agriculture Department and the farm bill are responsible for $6 billion in deficit reduction through the sequester. We have added four times to that amount in deficit reduction, but we are doing it in a smart, focused way, making tough decisions, setting priorities, eliminating subsidies that don't make sense anymore, and strengthening risk management, market-oriented programs.

We have debated, and will debate more, something called crop insurance, which I will remind my colleagues does

not allow for someone getting a check. They get a bill. They pay for crop insurance. We do it in a partnership between the Federal Government and farmers to help them have affordable risk management. That is what we strengthen in this bill. We have been told by farmers all across the country that the most important risk management tool for them is insurance—crop insurance that is affordable.

We have also in this legislation done something that is historic, which is as we have moved from subsidies to insurance, we are tying conservation compliance to the purchase of insurance. This is a very important policy, and we have many groups—over 30 groups—that have come together, and I want to commend all the commodity groups and the Farm Bureau and the Farmers Union and all those that came together, along with environmentalists and conservation organizations, to put a real priority on both a strong risk management system called crop insurance and a strong conservation policy called conservation compliance. This is a very important part of our bill as we look to savings.

Frankly, we have looked at savings in every single part of this bill. We have 12 different bills all put together called titles in this thing we call a farm bill, and we have looked at savings in each area of the bill. We have, for instance, taken a hard look at our conservation programs and decided that instead of 23 different kinds of programs, we actually could consolidate and streamline down to 13. We put them in four different buckets of activities, with a lot of flexibility, working with community groups and grassroots groups on conservation, and saw that we could save money, which we have done.

We listened to mayors and rural communities around Michigan and around the country—those who represent townships and counties—who said make sure you continue to have a strong rural economic development presence. Because once you get outside the cities in Michigan or around the country every community is partnering with rural development for business loans, water and sewer projects, transportation, firetrucks, police cars, housing, and all those efforts working through rural development. But we heard from our local officials that it was complicated. We currently, in law, have 11 different definitions of ''rural.'' That made no sense. They said: Could you please give us one? We looked through all the different programs and streamlined it and now we have one definition, so it is easier to work with, less paperwork, and it makes much more sense.

We have continued to strengthen the part of our agricultural economy called ''specialty crops.'' This is near and dear to me in Michigan—fresh fruits and vegetables and other areas that are very important to many States, including mine. The organic community is a fast-growing part of agriculture, and so we strengthen that as well.

We have looked from Mississippi to Michigan, California to Delaware, and everything in between, to make sure this is a bill that works for all parts of agriculture, and I am pleased to say we have been able to do that.

We have also made sure the energy title is strong, both in supporting farmers and ranchers who want to be focused on energy efficiency on the farm or the ranch, and also in expanding efforts beyond our traditional biofuel efforts to something that is near and dear to my heart which is called bio-based manufacturing.

We have very exciting opportunities in America. I know our Presiding Officer is as passionate about manufacturing as I am, and we now have the opportunity, working with our agricultural groups, to create ways to replace petroleum in plastics and other types of materials that we have today—synthetic fibers and so on—with agricultural by-products.

If you buy many of our great American automobiles today, you might find you are sitting on foam that is actually made from soybean oil instead of petroleum oil. So you might be sitting on soybeans in the seats. Many parts of the interior of the automobiles that folks are now buying actually have some kind of agricultural by-product, whether it is wheat chaff or corn husks or soybean oil. So we know we can use these new opportunities to not only create markets but create situations that are much better for our environment and that create jobs. This is a new and exciting part of what we are doing to expand opportunities through the energy title as well.

We also are very pleased and proud of the efforts around nutrition for folks in this country who, through no fault of their own, have found themselves hit hard by the economy. We want to make sure they continue to have the support they need around food assistance. That is absolutely critical, and I am pleased we have stood together in opposing very damaging amendments to the Supplemental Nutrition Assistance Program. Because just as crop insurance is important for our farmers when they have a disaster, food assistance is important for our families when they have a disaster. I think it reflects the best about us as Americans that we want to make sure we are providing that assistance.

We also are making sure we are doing more around farmers markets, and fresh fruits and vegetables in schools, making local food hubs a possibility so we have local farmers being able to come together to market their products as well.

There are many pieces in this farm bill that all relate back to jobs, all relate back to reforms we have put in place, and relate to making sure we have a continuation of the safest, most affordable food supply in the world here in America. When you go home tonight, if you sit down to have supper, thank a farmer. We all understand this is the riskiest business in the world, and the job of the farm bill is to provide support and risk management tools for our growers when they need them, but also to be great stewards of taxpayer dollars and to do what is right for rural communities across America and for families that need some temporary help as well.

There are many pieces, and I haven't even mentioned all of them. But I did want to remind people why we take the time on the floor to work through these issues and these amendments. We have more work to do, but we see the light at the end of the tunnel. We will be putting together a list for final votes on amendments when we come back into session, and we are looking forward to doing that and to completing this effort.

Again, I would remind colleagues, we did this last year. The House did not do their job. They did in committee, on a bipartisan basis, but not on the floor. We did our job. Last time around I remember doing 73 different votes on this particular bill. We wrapped in almost every single one of those amendments that were passed into the bill we presented to the Senate this time, and we are continuing to work together on other amendments as well. But it will be time, when we get back, to bring this to closure and to once again demonstrate the Senate can work together on a bipartisan basis to do the right thing for the families and the businesses and the farmers and the ranchers we represent. Sixteen million people in this country are counting on us to get our job done, and I am sure we will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to join my distinguished colleague from Michigan in predicting that we are moving in the right direction. We have covered a lot of important issues during the debate over the last couple of days and taken up a good many amendments. We have had recorded votes and free and full discussion of a lot of issues that are affected by this legislation, and I must say it has been a remarkable performance in terms of the subjects that have been covered and amendments disposed of. True progress has been made in developing what I think can be a very important contribution toward a legal framework and support structure to help enable American farmers to compete in the international marketplace and to sustain the jobs that flow from these important activities throughout the United States.

At a time when, in some places, jobs are hard to find, this is a job creator and it is a step toward strengthening our economy not just in rural America but throughout the country—in municipalities as well.

I hope everybody recognizes what a strong leader our committee chairman

has become, as she has demonstrated in her performance as chairman of our committee. She has done an excellent job. I commend her and all of our colleagues on the committee for helping shape this product so it can be adopted by the Senate and signed into law by the President. I look forward to that day and to celebrating and helping salute those who have been responsible for this good work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, I rise today to join my colleagues on both sides of the aisle in condemning the Internal Revenue Service for intentionally singling out dozens of nonprofit organizations for no cause other than their political leanings. This is not an issue of Democrat versus Republican. Indeed, the actions of the IRS have brought rare bipartisan accord. There are lessons for us all in this scandal.

One is that a government that is too big, too powerful, and too all-encompassing is prone to overstep its bounds. It becomes unwieldy and inefficient. And sometimes, it tramples upon the rights of the people it is supposed to serve. We have seen those maxims in action over these last few weeks.

We have an IRS that targeted groups of American citizens, threatening them with the force of law and imprisonment, for no other reason than they had certain political affiliations. We know now the IRS selected these groups by zeroing in on certain words and phrases.

And what were these words and phrases that elicited such concern in the halls of the Internal Revenue Service? Words like ''patriot'' and ''we the people.''

It seems to me that we can draw only one of two conclusions from the actions of the IRS. Either some in the administration intentionally attempted to use the power of the Federal Government to target and cripple their political enemies, or they lack the competence to oversee a bureaucracy that has grown too big not to fail.

One thing is for sure, though. The reputation of the IRS has been tarnished in ways that will take years to repair, and it is imperative that we restore the trust that has been lost between the American people and our government. That work begins with getting to the bottom of this scandal.

We have many questions that need answers. Did these IRS officials act on their own, or did they have direction from their superiors? How high up does this scandal go? What did the White House know, and when did they know it?

This scandal comes as Washington is preparing to hand over even more power and authority to the IRS. It will be the IRS that enforces the mandates of the new health care law. It will be the IRS that will have control over some of our most private, personal decisions.

It is not too late to change course. But if we insist on placing the blame for the IRS's actions on a few low-level staffers without looking at the root cause of the abuse—corruption, or a government that, as the President's former Senior Advisor David Axelrod recently admitted, has become too vast to manage and oversee—then we will continue to witness scandals like this.

Big government comes with bigger problems, bigger scandals, and bigger dangers for our liberties. The Tea Party and organizations like it have been arguing that position since they were founded. And while I know there are some in this chamber that will hate to hear this, it turns out the Tea Party's fears were justified.

We need more than just an audit of what happened at the IRS. We have given the IRS every opportunity to deal with this issue internally. More than a year ago, Senator HATCH and I sent a letter to the IRS expressing our concerns about the targeting of conservative groups. We received a response assuring us that our concerns were unfounded.

We now know that this response was false, and perhaps intentionally misleading. Tuesday, former-Commissioner Steven Miller appeared before the Homeland Security and Government Affairs committee on which I serve. During that hearing, Mr. Miller claimed that while he had dispatched a team to investigate our concerns a month before he responded to our letter, the response was sent without input from that team. He claims he did learn that targeting had occurred, but not until a week after misinforming the Senate that all was fine. He said he was ''outraged.'' And yet he never corrected the record, choosing instead to allow his false response to stand. At the very least we have a situation where the IRS, knowing what had happened a week after they sent a response saying everything was fine, refused to correct the Record. I believed them at the time. Unfortunately, we were misinformed. And yesterday, Lois Lerner, the head of the IRS's tax-exempt organizations division, declined to answer questions regarding this scandal, deciding instead to invoke her Fifth Amendment rights against self-incrimination.

Despite all this, the IRS asks us to trust them when they tell us that this scandal was simply the result of a few misguided, low-level employees, and that no senior officials were involved. With all due respect, I am done taking the IRS's word for it. We need an in-depth investigation, one that fully documents the what, when, and who of this scandal. Only when we get to the bottom of this incident can we begin to rebuild the bridge of trust between us as citizens and our Federal Government here in Washington, DC.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I come to the floor to talk a little bit about the farm bill which is before the Senate. Notwithstanding all the rhetoric we have had around the budget over the last 4 years or so around here, last year the Senate Agriculture Committee was the only committee, to my knowledge in either House, the Senate or the House, that passed a bipartisan deficit reduction plan. We did it together, Democrats and Republicans, working together on the committee with the various constituencies around the United States of America. That bill ultimately passed the Senate in a broad bipartisan vote right here on this floor.

The House of Representatives was unable, for whatever reason, to enact a version of the farm bill over there, which was an incredible disservice to rural America. Farmers in my State, ranchers in my State, the State of Colorado, faced an unprecedented drought throughout this entire period. Throughout the summer of 2012, when I was traveling the State, no one was talking about the Presidential election—particularly in these rural areas, which was on the mind of everybody in Washington. What they wanted to know was why a farm bill had not been passed and for good reason—because the Senate had passed a bill that was supported by both Republicans and Democrats, by producers of all types across the country, and it was a good piece of legislation.

Fast forward to this week, when the Senate Agriculture Committee has once again passed a bipartisan bill with meaningful deficit reduction. I thank Chairwoman STABENOW from Michigan and the ranking member Senator THAD COCHRAN for their leadership on this bill. This bill now has gone through two different ranking members on the Republican side and has been supported in a bipartisan way, as I said earlier. This farm bill, similar to the last version we passed, reflects the values and the process we want to see in other areas of our budget. We identify priorities in this bill. We streamline duplication in this bill. We break away from old, inefficient ways of doing business in this farm bill.

We eliminate direct payments in one of the most significant reforms we have seen in a farm bill in a very long time. These payments are issued to farmers regardless of economic need or market signals. We do away with that abuse. This bill prioritizes what is working for producers and it strengthens crop insurance as a result, which is what my farmers have said is most important to them.

I have spoken on this floor before about Colorado's battle against historic drought conditions. Some farmers

lost over half their corn yields in 2012 alone. It is hard to imagine, when you think about it, any business losing half of its production in 1 year, but that is what happened to Colorado's corn growers. Crop insurance is what is keeping farmers and rural economies in business and that is why this should be a priority. That is why this bill should have been passed 2 years ago when it first came to the floor of the Senate. It is why we should pass it next month.

Beyond crop insurance, another key highlight of this bill for those of us from Colorado is conservation. The title carries over the reforms from last year's bill, and this year's bill includes a provision to ensure that recipients of government-supported crop insurance comply with basic conservation requirements. This measure is the result of a historic agreement between the commodity groups and the conservation groups in this country. It is supported by a wide variety of stakeholders—from the Farm Bureau to the National Wildlife Federation.

This revamped conservation title is huge for rural America and for my State. It is critical for farming and ranching families looking to keep their land in agriculture generation to generation. It is incredibly important for our hunters and sportsmen. It is important for anybody—which is most of us—who cares about the long-term health of our soil, our air, and our water. These conservation measures help us improve the efficiency of production agriculture and improve the quality of the environment in farm country. We recognize that keeping these landscapes in their historical, undeveloped state is an economic driver for our entire State and for our entire region—for tourism, for wildlife habitat.

As I have traveled Colorado over the last several years, farmers and ranchers constantly were talking to me about the importance of conservation. They highlighted, in particular, conservation easements which provide Department of Agriculture assistance to help landowners who are interested in voluntarily conserving the farming and ranching heritage of their land.

I wish to spend a few minutes sharing stories that Coloradans have shared with me. This is a photo—you don't have this as much in Delaware. I know you have other things. Here is a photo of a ranch in Colorado, the Music Meadows Ranch. It is outside of Westcliffe, CO, elevation 9,000 feet.

I have a version of this picture in my office here in Washington. It is 4,000 acres. The rancher's name is Elin Ganschow. It is some of the finest grass-fed beef in the country, raised by Elin and her family at this ranch. Thanks to the Grassland Reserve Program, Elin's ranch now has a permanent conservation easement. It provides wildlife habitat for elk, mule deer, pronghorn antelope, black bear, and mountain lions, species prized by Colorado sportsmen. They contribute millions of dollars to our State's economy, and she has been able to continue having her family ranch.

Thanks to an amendment adopted by the Agriculture Committee this year, we will see even more of these easements happen on high-priority landscapes such as the Music Meadows Ranch. I thank Chairwoman STABENOW and Senator COCHRAN for working so hard with me to get that amendment approved.

Private lands conservation such as this, the type aided by the farm bill, is absolutely critical for so many reasons. It is poorly understood in the East, but it is an incredibly important tool for those of us in the West to keep our family farms and ranches family farms and ranches and provide the habitat needed for our sportsmen and for tourism.

Here is another example of why this bill is so crucial for our sportsmen and outdoor recreation economy. This is a photo taken of a friend, John Gale, hunting pheasants in Yuma County, CO. The Conservation Reserve Program, CRP, provides important habitat for pheasants and other upland birds all across the country. The land surrounding this is all CRP land—everything you can see and far beyond that—and it has enabled this pheasant hunting to happen in our State.

The CRP program protects habitats in addition to holding in place highly erodable soil—something we have a lot of history with in Colorado. For instance, the soil in Baca County, CO, has over 250,000 acres enrolled in CRP. Baca County was absolutely devastated by the Dust Bowl of the 1930s, as chronicled in Tim Egan's ''The Worst Hard Time,'' and other books. Thanks to CRP, Baca County has weathered recent droughts much better than it otherwise would have.

Healthy grasslands, open landscapes, and abundant wildlife are a fundamental part of what it is to be in the West. We need to preserve those grasslands, those open spaces, and those species, and that is what the conservation title of the farm bill does.

I strongly support this new conservation title as reported out of the committee in a bipartisan vote. I know some are going to try to amend this bipartisan consensus.

One of the great things about serving on the Agriculture Committee is there is so little partisanship. The differences we have are not Republican versus Democrat. We have some differences, but they tend to be regional and understandable. We have a way, a process, and the leadership to actually work through issues together. It would be nice if we did more of that around here.

I am worried there will be some amendments that will come forward, among other things, in the name of deficit reduction, which, as I mentioned earlier, is already reflected by this committee's work, unlike every other committee in the Congress.

As far as Lee amendment No. 1017 and No. 1018, I appreciate my neighbor's effort on deficit reduction. These programs repeal the important programs I talked about here on which our farmers and ranchers rely, and they keep our soil on the ground, not in our wind and air.

Lee amendment No. 1017 repeals the CRP program I spoke about earlier. I have been on this floor many times to talk about cutting our deficit. I am glad we have been part of a process which has actually led to deficit reduction. We need to put the entire budget under a microscope, including agriculture, to cut waste and eliminate redundancies.

Let me say again, including agriculture, the bill we have on this floor makes those cuts—$24 billion in all. Some $6 billion of these cuts come from conservation. Not all of those cuts are cuts I like, but I agreed to them in the package we were moving forward. We made difficult compromises at the committee level, and now we have a more efficient conservation title as a result that won support from both sides of the aisle. Over 650 conservation groups support the conservation title before us, and I urge my colleagues to support it and oppose amendments which would weaken the title and undermine the good work of Republicans and Democrats on the committee.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I rise today to discuss some of the amendments I offered to the 2013 farm bill. First of all, let me start by thanking the chairwoman and the ranking member for their leadership and listening to the voices of the members of the Agriculture Committee when it comes to reauthorizing the farm bill which is set to expire at the end of September. We have not been able to agree on all aspects of the farm bill, but our chairwoman and ranking member should, however, be recognized for their tireless work in getting a farm bill done this year.

One way or another, we need to move this process forward. We came close when the Senate passed a farm bill, but we were unable to get the House to move it. I hope this year we can complete the process and get a bill we can put on the President's desk so we are able to give the producers around this country the certainty they need when it comes to planting and making decisions about the future of their farming operations.

While this bill is commonly called the farm bill, the majority of spending is not for the agricultural producers. The nutrition title of this bill, which is primarily food stamps, or what we refer to as SNAP, Supplemental Nutrition Assistance Program, accounts for 77 percent of the spending in the farm bill programs over the next 10 years. Let me repeat that: Seventy-seven percent of all spending in this farm bill

doesn't have anything to do with production agriculture, but is in what we refer to as the nutrition title of the farm bill.

It is important we subject all areas of Federal spending to close examination, and that includes the nutrition title of the farm bill. There should be no exceptions.

I recently introduced legislation that will reform several components of the nutrition title and save more than $30 billion from the $760 billion nutrition title, and that is a 10-year number.

These commonsense reforms to SNAP generate significant savings without altering benefits to needy families. The SNAP is exceedingly complex. We should be vigilant to ensure that taxpayers' money is indeed going to help lift those in need out of poverty instead of going to ineffective programs that are mired in bureaucracy.

I have offered several parts of the amendments of this reform package to the farm bill currently on the floor. My amendment No. 991, which I hope to have an opportunity to get voted on after we return following next week, reforms the nutrition, education, and obesity prevention grant program. While well-intended, the current structure of this program funnels 52 percent of the funding to only four States. This is an inequitable use of funds which should be spent more equitably among program participants.

My amendment restructure of these grants will allow the States to receive up to $5 per SNAP enrollee indexed for inflation. Five dollars is the median value of what is currently spent on this education program per capita across all the States.

This amendment in no way limits the capacity of the States to leverage those dollars with their own funding to deliver more nutrition education services. By reforming these grants, all recipients of SNAP benefits will have more equal access to nutrition education and obesity prevention resources that will help them make healthy choices when shopping on a budget.

This amendment will save $2 billion over the next 10 years without impacting SNAP's benefits for those in need. Again, I want to stress this: Reforming this program does not affect the true mission of SNAP, which is providing food assistance to needy families. There is nothing in this amendment that changes eligibility requirements for SNAP benefits. Even after this nutrition education program is reformed, approximately $250 million a year will still be available to the States for these education programs.

The priority of the SNAP should be providing food assistance to needy families while they work to get back on their feet. Unfortunately, the nutrition, education and obesity grant program has become so partial to just a few large States that these States are expanding the use of these grants to fund lobbying campaigns instead of reaching out to educate SNAP families on making healthy choices while shopping on a budget.

Clearly, this program is in need of reform. Making commonsense changes to the SNAP shows the American people we are holding each Federal program up to the light and making sure the taxpayers' money is being spent for the public good.

Again, these are largely administrative changes to the SNAP that do not impact SNAP benefits for those who are truly in need of food assistance. A $2 billion cut represents less than ½ of 1 percent of what the Federal Government will spend on SNAP over the next 10 years.

I ask my colleagues on both sides of the aisle to join me today in telling the American people we are committed to program integrity and quality among SNAP beneficiaries.

In the course of the next few weeks when we get back on this bill, I look forward to engaging my colleagues in a fair and open debate about how we can improve all farm bill programs that strengthen the stability and safety of our Nation's food supply for the next 5 years and beyond.

This is a commonsense amendment that saves us a couple of billion dollars which we can add to the savings in this bill in a time when we have rising deficits and debt and budgetary constraints we are operating with.

I hope we will be able to come together in the interest of reform—reform that actually targets the administrative costs of a program and does not impact benefits that are so needed for people who truly do need food assistance. I hope to get that amendment voted on when we return to the bill.

The second amendment I want to mention today is another one I have filed, and that deals with the commodity title of the farm bill.

Last year this body passed a farm bill by a vote of 64 to 35. This was a farm bill that most of us believed offered a level of reform we could support and defend to the American taxpayer.

Several of my colleagues and I pointed out in the Agriculture Committee debate that we have deep concerns regarding what we believe is a step backward in the commodity title of this bill with the creation of the Adverse Market Payments, or what we now call the AMP Program.

This program takes us a step backward from last year's farm bill by recreating a program with countercyclical payments and fixed target prices which the Senate farm bill completely eliminated last year.

Our concerns are not crop specific, but they are policy specific. Most Agriculture Committee members were told by our producers that they don't need an additional commodity title program, and that a sound crop insurance program is a much higher priority.

My amendment No. 1092 is a response to the wishes of most of the farmers in the United States. It simply strikes the newly created and unneeded Adverse Market Payments or AMP Program and places peanuts and rice back into the ARC Program. To put it simply, this amendment restores the reform-minded, market-oriented commodity title included in the farm bill we passed in the Senate last year.

This amendment also saves taxpayers more than $3 billion relative to the bill that is on the floor today.

High target prices are an outdated concept from past farm bills. They distort planning decisions, raise trade compliance issues, and they are not an effective use of limited taxpayer dollars.

While I appreciate the work our chairwoman and ranking member have put into this farm bill, I believe the inclusion of target prices is a step backward from a market-oriented farm policy that is anchored by a strong crop insurance program.

I urge my colleagues to support this amendment that recaptures the level of reform we achieved in last year's farm bill, and at the same time saves more than $3 billion over the bill that is on the floor today.

Both of these amendments have been filed. I hope as the debate moves forward we can get these amendments up and voted on.

If we are serious about moving farm policy in this country in a direction of reform that is market oriented and is about the future and not the past, then this commodity title amendment makes all the sense in the world and, again, saves $3 billion over the bill that is on the floor today.

I simply say with regard to the nutrition title amendment that too saves a couple of billion dollars. It makes reforms that I think create greater efficiency in the food stamp program and helps to address what I think is a very serious need which I think we all need to be aware and conscious of in the times we are in, and that is the out-of-control spending and out-of-control debt we are passing on to our children, grandchildren, and future generations. Passing a farm bill to achieve the highest level possible of additional savings, to me, seems to be a very high priority, and both of these amendments address those particular objectives.

I look forward to getting these amendments hopefully voted on when we return.

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

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

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

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

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

Ms. STABENOW. I ask unanimous consent that the following amendments be in order: Moran No. 987 and

Coons-Johanns No. 1079; that at 5:30 p.m. on Monday, June 3, the Senate proceed to votes in relation to the two amendments in the order listed; that there be no second-degree amendments in order to either amendment prior to the votes, and that there be 2 minutes equally divided between the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, in recent years the farm bill has changed and become more about welfare than providing a safety net for America's agriculture producers. Because this is so frustrating to me, I offered an amendment that would have restored the integrity of the farm bill. It would have cut the food stamp program by about $250 billion over ten years and converted it into a discretionary block grant. I am disappointed the Senate rejected my amendment by a vote of 36–60.

But the crop insurance program remains the heart of the farm bill. Many of my colleagues believe it is appropriate to reduce the program's effectiveness by imposing means testing and other limitations on participation. These restrictions are counterproductive and result in crop insurance becoming more expensive for family farmers. I agree there are many issues that should be addressed to make the farm bill more about farming, but I am opposed to efforts to limit the effectiveness of the crop insurance program.

VOTE EXPLANATION

● Mrs. BOXER. Mr. President, I was unable to attend four roll call votes that occurred on May 23, 2013. Had I been present, I would have voted yea on the confirmation of Srikanth Srinivasan to be U.S. Circuit Judge, yea on Feinstein amendment No. 923 to end the Federal crop insurance subsidy for tobacco, yea on Hagan amendment No. 1031 to reduce fraud in the crop insurance program, and yea on Durbin amendment No. 953 to reduce crop insurance premium subsidies for those earning over $750,000 annually in adjusted gross income.●

MORNING BUSINESS

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

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

The Senator from Michigan.

SEQUESTRATION

Mr. LEVIN. Mr. President, I wish to start by thanking Senator WHITEHOUSE who has shown such strong leadership on the issue we are going to be discussing this afternoon, which is how do we get out of the sequestration box we are now in. I also wish to thank him for joining with me in sponsoring the Cut Unjustified Tax Loopholes Act, which could do so much to address the problems we will be discussing today, including the need to move forward on solutions to our budget deficit and to ending sequestration.

I ask unanimous consent that following my remarks, the Senator from Rhode Island be recognized for his remarks on this subject.

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

Mr. LEVIN. Mr. President, at the beginning of March, when Congress's failure to reach a compromise on deficit reduction triggered sequestration, some in Congress were ready to declare victory. ''Sequestration will take place . . . [and] I am excited,'' said one Member of the House of Representatives. ''It's going to be a home run,'' said another Member of the House of Representatives. ''This will be the first significant tea party victory,'' said a third Member of the House of Representatives.

Well, sequestration may be a victory for the tea party, but it isn't a victory for the American people. It is not a victory for the men and women of our military and their families.

Over the past 2 months, the Senate Armed Services Committee has heard testimony from our highest ranking military leaders, including the Chairman of the Joint Chiefs of Staff, the Army Chief of Staff, the Chief of Naval Operations, the Air Force Chief of Staff, the Commandant of the Marine Corps, and the Combatant Commanders who are responsible for our forces in Afghanistan and Korea and around the world. Each of these military leaders told us that continued sequestration will damage our security and harm the troops they lead.

General Dempsey, the Chairman of the Joint Chiefs of staff, warned us:

If sequestration occurs, it will severely limit our ability to implement our defense strategy. It will put the Nation at greater risk of coercion, and it will break faith with men and women in uniform.

He warned us that continued sequestration would ''destroy'' military readiness. General Amos, the Commandant of the Marine Corps, told us: ''Sequestration will leave ships in ports, aircraft grounded for want of necessary maintenance and flying hours, units only partially trained and reset after 12 years of continuous combat, and modernization programs canceled.'' The result, he stated, would be ''a lapse in American leadership.''

General Odierno, the Chief of Staff of the Army, told us:

Sequestration will result in delays to every one of our 10 major modernization programs, the inability to re-set our equipment after 12 years of war, and unacceptable reductions in unit and individual training. . . . It will place an unreasonable burden on the shoulders of our soldiers and civilians. . . . If we do not have the resources to train and equip the force, our soldiers, our young men and women, are the ones who will pay the price, potentially with their lives.

The Vice Chief of Staff of the Air Force warned:

Lost flight hours will cause unit standdowns which will result in severe, rapid, and long-term unit combat readiness degradation. We have already ceased operations for one-third of our fighter and bomber force. Within 60 days of a stand down, the affected units will be unable to meet emergent or operations plans requirements.

The Vice Chief of Naval Operations told us:

In FY13, we will reduce intermediate-level ship maintenance, defer an additional 84 aircraft and 184 engines for depot maintenance, and defer eight of 33 planned depot-level surface ship maintenance availabilities. At our shore bases, we have deferred about 16% of our planned FY13 shore facility sustainment and upgrades, about $1 billion worth of work. . . . By the end of FY13 . . . nearly two thirds of the fleet . . . will be less than fully mission capable and not certified for Major Combat Operations.

We rely on the men and women of our military to keep us safe and to help us meet the U.S. national security objectives around the world. We expect our men and women in uniform to put their lives on the line every day, but in return what we tell them is that we will stand by them, we will stand by their families, we will provide them the best training, the best equipment, and the best support available to any military anywhere in the world. Sequestration in fiscal year 2013 is already undermining that commitment to the men and women in the military and their families.

There may be a few people who, hearing all of this, might still consider sequestration a ''victory.'' But members of the Armed Services Committee who have heard the testimony—Democrats and Republicans—believe the continued sequestration is a grave mistake.

These cuts will damage our military readiness, restrict our ability to respond when crisis erupts, and restrict our flexibility in confronting national security threats from Iran to North Korea to international terrorism. These cuts will cost taxpayers in the long run because maintaining our military readiness today is far less expensive than rebuilding our military readiness tomorrow after it has been squandered.

The devastating effects of sequestration are also felt in other of our agencies and departments. These effects are going to harm students and seniors and farmers and families across this Nation. Continued sequestration will set back our slow climb out of recession, as well as education and medical research and health care and public safety.

As former Defense Secretary Panetta told our committee in February:

It's not just defense, it's education, loss of teachers, it's childcare. . . . It's about food safety, it's about law enforcement, it's about airport safety.

The desire to avoid this outcome is, I believe, bipartisan. That is why it is so baffling to me that some of our Republican colleagues still refuse to allow us to take the necessary next step to avert this continued damage. By refusing to allow a House-Senate conference

committee to meet—a meeting in which Members of both Chambers and both parties would work to resolve differences between the Senate- and House-passed budgets—a few Senate Republicans are objecting to the search for a solution to sequestration. For reasons I do not understand, they are objecting now to the normal budget process they previously urged us on with such energy to follow.

It is truly baffling because 2 months ago we heard from some Republicans that it was a travesty that we had failed to pass a budget. They called failure to pass a budget an outrage. Now that we have passed a budget, a few of our colleagues across the aisle are preventing us from going to conference so we can work out our differences with the House and finalize a budget.

Those colleagues want a guarantee in advance of a conference in which they will get their way on a number of issues or else, they say, they are going to prevent the conference from even occurring. They want the rules of the game to guarantee they are going to win even before they agree to play. The budget resolution is no game, but the analogy is apt.

I cannot understand the reasoning—I simply cannot understand that reasoning—but at a time when our national security is challenged on so many fronts and we face the effects of sequestration that I have outlined, this is not just illogical, it makes responsible governing impossible. It is harmful to our Nation. Getting to conference and working out our differences is simply essential.

I am very much encouraged that some of our Republican colleagues have come to the floor to point this out. They have spoken forcefully, admirably, courageously about the need for the Senate to move forward. They give me hope. Those Senate Republicans who have come to the floor and urged us to go to conference and urged those who are blocking our move to conference to remove the blockage have a mission which I hope succeeds.

I have spoken on this floor on a number of occasions about what I see as the proper path to sensible deficit reduction, and that is the reverse of sequestration. A significant majority of Americans believes we need a balanced deficit reduction plan to dig us out of the hole we are in. Such an approach would include some additional discretionary budget cuts, but prudent, prioritized cuts, replacing the hatchet which is sequestration with a scalpel instead.

Such an approach would include reforms to entitlement programs, and it would include revenue. Budget experts of all ideological stripes know additional revenue must be part of our deficit solution. By closing unjustifiable tax loopholes, such as those my Permanent Subcommittee on Investigations has outlined in detail on a bipartisan basis, we can provide tens of billions of dollars for deficit reduction—deficit reduction that does not require us to raise the burden on working families or on the men and women in uniform who put their lives on the line to keep us safe. That kind of revenue will help us reverse sequestration—part of a solution to this budget crisis we are in.

A balanced approach to deficit reduction is the approach to the budget which this body passed on March 24. I hope this position prevails in conference when we get to conference with the House. I would hope the Senate position prevails. But I cannot even believe that Members of this body would consider obstructing the budget process until they were given a guarantee they could get their way. It is the wrong way to govern. Most of us know it. You cannot guarantee in advance of a conference that the conference is going to have your outcome. If you want to instruct conferees, fair enough, and that is what the effort has been here on the part of the Democratic majority leader. But for some Members of this body to insist that unless they are guaranteed they will get their way in conference or else they are going to block us going to conference is not the way we are able to get anything done here. If we all took that position, we would never get anything done.

This obstruction does a disservice to the men and women who serve in our military and to the people of this great Nation whom they protect. Their position is as damaging as it is illogical. I hope they will soon relent to logic, to the needs of the Nation, and end the objection to proceeding to conference with the House of Representatives, because that is the way we can try to work out our differences, finalize a budget, and take the necessary steps toward deficit reduction and the end of sequestration.

I thank our Presiding Officer.

Again, I thank Senator WHITEHOUSE. It is his initiative that brings us to the floor today. It is his initiative which has cast a light in so many ways on the budget dilemmas we face, but also the solution to these challenges.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me first thank Chairman LEVIN for the immense amount of work and passion and good thought he has put into trying to accelerate the day when we can say good riddance to the sequester. He sees firsthand, as chairman of the Armed Services Committee, how much damage the sequester is doing to the military, to the soldiers and sailors and airmen and marines who honor us by their service, to the talented and loyal civilians who support their efforts. But families all across the country also are feeling the painful consequences of this sequester.

Just in my small State, Rhode Island, 8,100 folks have already seen their weekly unemployment checks reduced by $50. For a family struggling to get by, losing $50 can hurt. Federal rental assistance has been eliminated for 500 low-income Rhode Island families, which may cause some even to lose their homes.

Economy-wide, our nonpartisan Congressional Budget Office estimates that the $85 billion in sequester cuts this year will cost us 750,000 jobs nationwide. We have 12 million Americans out of work already. Why on Earth would we want to cut 750,000 more jobs?

As Chairman LEVIN said, it does not have to be this way. In fact, Leader REID tried twice to bring up measures that would get rid of the sequester, but twice Republicans filibustered. Now they refuse even to allow the process to go forward that would negotiate a solution through the regular legislative process. They will not even let us appoint Senators to negotiate a compromise between the Senate and the House budgets.

It has been 61 days since we passed our budget, and each time we try to move the process along, Republicans object. If their rule is: I have to have it my way before I am willing to enter into negotiations and I need a guarantee, I would like some of that deal too. I have some things I feel pretty passionately about, and if they want to play by those rules, then we should all be playing by those rules. If not, then let's follow the regular order and let the process of democracy work.

From government shutdowns to Federal default, the other party has a strategy: to manufacture one crisis after another, each time holding our economy hostage to demands for radical policies that the vast majority of the American people reject.

They demand the end to Medicare as we know it. The American people want no part of that. They demand cuts to Social Security. The American people want no part of that. They refuse to close a single—not one, not a single—corporate tax loophole. Well, huge majorities of Americans want that to happen. But our friends do not care. They are extremists.

It is not just the American public, by the way, that rejects the extremist tea party agenda. So do economists. What economists say has been confirmed in practice by the experiences of other nations that followed the Republican austerity strategy.

Republicans say budget cuts are necessary to reduce the deficit, but their fervor ignores the established economic effect that has during a recovery. Right now, for every $1 we cut, the economy shrinks by more than $1. Their theory is when you cut $1 in government spending, that releases the economy to grow more rapidly. Well, the fact is, during a recovery the exact opposite is true. The way this is measured is through an economic phenomenon called the fiscal multiplier.

There have been a number of recent studies that try to identify what the fiscal multiplier is right now, and they range from 1.4 to 3.7, which means that

for every $1 you cut, the economy takes a $1.40 hit. There is an extra 40-cent harm for each $1 cut to our national economy.

If this one is right, 3.7, then every $1 cut is $3.70 worth of harm to our economy. It is a multiplier of damage from government cuts. So shrink the GDP, which we do if we have a fiscal multiplier of 1, and collect less taxes. Less taxes means less of the deficit reduction that is supposedly achieved by the budget cuts. It is a vicious cycle that could keep our economy weak and our deficits high. We can go backward, and Europe proves it from Spain to Portugal to Greece.

Countries slashed their budgets and things got worse, double-digit unemployment and negative growth. We have a U.S. unemployment rate of about 7.5 percent. That is way too high, but it is way better than 27 percent in Spain, 27 percent in Greece, and 16 percent in Portugal. We had 2.3 percent growth last year. They had negative growth rates. Negative growth rates. Their economies contracted.

The evidence from the austerity experiment is in countries that cut the deepest hurt themselves the worst. As we can see, employment in the eurozone is worse by about 20 percent since the major austerity programs kicked in.

Over that same time period unemployment in the United States is better by about 25 percent. Their policies, unemployment worse by 20 percent; our policies, employment better by 25 percent. A lot of these Republican calls for harmful U.S. austerity cited a 2010 paper called ''Growth in a Time of Debt'' by Harvard economists Reinhart and Rogoff. Republicans loved Reinhart and Rogoff. They cited them at least five dozen times on the House and Senate floors to justify their demands for budget cuts.

They cannot get enough of Reinhart and Rogoff. It turns out there is a big problem. There were numerous errors in Reinhart and Rogoff's computations; math errors, programming errors, dropping a column of data. Oh, oops. With the fiscal multiplier over 1, the best thing we can do to accelerate our recovery is to lift the harmful European-style sequester cuts. The Job Preservation and Sequester Replacement Act of 2013 would do just that, through September 30, giving us time to negotiate a broader compromise.

Cosponsored by Chairman LEVIN, Chairman HARKIN, Senator LAUTENBERG, Senator MERKLEY, Senator SCHATZ, and Senator WARREN, it would replace the sequester from the Buffet rule and from closing corporate tax loopholes, sensible tax changes that on their own we should do because they make the Tax Code fairer.

The Buffet rule would ensure that multimillion-dollar earners pay at least a 30-percent effective Federal tax rate. Last year we debated whether the top income tax rate should be 35 percent or 39.6 percent. But the fact is that many at the top, people making hundreds of millions of dollars in a single year, will not pay anything close to that rate. Why? Because the Tax Code is riddled with special provisions that favor ultra-high-income earners.

For example, investment income is taxed at the special rate of 20 percent. The so-called carried interest loophole allows billionaire private equity fund managers to pay this low rate. So many of them pay the same tax rate or even less than a hard-working average firefighter or brick mason in Rhode Island making $50,000 a year. So at $200 million a year, they are paying the same tax rate as folks making $50,000 a year. The Buffet rule follows the common sense that people earning millions of dollars a year, even hundreds of millions of dollars a year, should pay higher tax rates than middle-class families. It would also cut the deficit by $71 billion.

Another loophole, the so-called Edwards-Gingrich loophole, lets high-earning professionals dodge paying payroll taxes by calling themselves corporations. We close that too, saving another $9 billion. We save another $3 billion by going after a deduction that allows private jet owners to depreciate their planes faster than commercial aircraft are allowed to be depreciated, another commonsense change.

The fourth part of the proposal would contribute $24 billion to lifting the sequester by ending tax breaks for Big Oil. Over the past decade, the five largest oil companies have reaped over $1 trillion in profits. That is trillion with a ''t''—$1 trillion in profits. While they are making that massive profit, they nevertheless pull strings in Congress to keep billions of dollars a year that regular taxpayers have to cough up for them in tax giveaways. As with all of the elements in this bill, repealing Big Oil giveaways is something we should be doing anyway, just because it is the right thing to do.

Finally, we end a tax break for companies that ship jobs overseas. Believe it or not, the Tax Code allows manufacturers to indefinitely delay paying taxes on profits in overseas operations. Ending this unfair and un-American advantage would lower the deficit by another $20 billion. Each one of those five reforms would make the Tax Code fairer for all Americans. They are each worth passing for that reason alone. They are embarrassments in our Tax Code. Getting rid of them could stop the sequester while Democrats and Republicans work together on a balanced deficit reduction package; that is, of course, if we could get Republicans to actually work with us and negotiate and go through the regular order they have claimed for so long to seek, to get to a balanced and negotiated deficit reduction package.

But as Chairman LEVIN pointed out, at the moment they refuse to even appoint conferees to begin the process. They want to be assured they will have it their way before they even begin to negotiate. As I said earlier in the speech, if that is the way they are going to behave, I want some of that action myself. I have many things I feel very strongly about.

I could be in a position to say I will not allow us to go to conference either until we are clear that we are never going to do chained CPI and put that burden on our Social Security-receiving seniors. I could do that and say we are never going to go to conference unless I get a guarantee that we are going to get a carbon fee so the big polluters are paying their share and we are not having to subsidize what they are doing to our atmosphere and oceans. I could say those things. Any one of us could say those things.

Mr. LEVIN. If the Senator would yield for a question, if that position were taken by all of us, that is a guarantee of inaction?

Mr. WHITEHOUSE. That is a guarantee of total gridlock and failure. That is why it is so important that no one in this body try to use that kind of hostage-taking extremist tactic, rather than allowing the regular order to continue.

Mr. LEVIN. Since I have interrupted the Senator, let me ask one additional question. I notice that even though the Senator's menu yields $127 billion, that he only requires $85 billion for the 1-year sequester replacement, which means that, for instance, if just the Buffet rule were put in place, which is a tax fairness approach, plus the bottom one, a tax break for offshoring, those two items out of this menu—and there are many other items which are not on the Senator's menu, those two items alone could reverse sequester for 1 year?

Mr. WHITEHOUSE. Yes.

Mr. LEVIN. I wish to make one more comment about offshoring. My dear friend from Rhode Island knows that my permanent subcommittee has done a lot of work on the tax breaks for offshoring. In addition to what the Senator said about delaying the tax on profits, under our Tax Code, companies which move jobs overseas get a tax deduction for the cost of the moving?

Mr. WHITEHOUSE. They do.

Mr. LEVIN. If they are building a plant overseas, the cost of that plant can be deducted currently?

Mr. WHITEHOUSE. It can.

Mr. LEVIN. This is perhaps the most stunning thing I have learned fairly recently. It is even possible under our Tax Code for the cost of operations of that facility to be deducted currently, while the tax on the profits or the income of that operation is delayed, which means they can cut domestic taxes by the cost of running a foreign operation currently. That takes a little bit of gimmickry to do it, but that is what is going on. I just wanted to kind of fill in that one little element of some of these offshore bonanzas, these incredible loopholes that are in the Tax Code.

As the Senator from Rhode Island said, we should get rid of some of these

things even if we had no deficit because, as the Senator put it, they are embarrassments.

Mr. WHITEHOUSE. Nobody has spent more time and more energy and put more effort into the way in which American income gets hidden offshore so people can avoid paying taxes and corporations can avoid paying taxes than Chairman LEVIN. He is our expert. There are indeed other loopholes that are exploited, primarily by corporations but also by very high-income taxpayers, hiding money in the Cayman islands, putting assets into Ireland and other tax havens, and refusing to treat them as American, even though it is nominally an American company. There are enumerable tricks.

I will close by making one point. Very often people look at what we are trying to accomplish, and even actually pretty honest reporters will say the Democrats actually want to raise taxes. That is the fight. Republicans want to cut spending; Democrats want to raise taxes. No. We raised taxes once already. We raised the rates for people over $450,000 thousand a year in the last big agreement. What we want to do now is to go into the Tax Code and close down the loopholes. That is all we are looking for.

What most Americans do not understand is that if we look at how much money goes out the backdoor of the Tax Code through loopholes, through special rates, through exemptions and so forth, it is very nearly the same amount of money that is actually collected through the Tax Code and becomes the revenue of the United States of America. We let almost as much money out the backdoor of the Tax Code as we collect through the Tax Code. If we take a look at the areas where Chairman LEVIN has done so much good research, that money actually never gets into the Tax Code to go out the backdoor.

If we were to count that, in addition to the money that is allowed out the backdoor of the Tax Code, there is actually more that goes out the backdoor of the Tax Code and is avoided coming through the Tax Code than is actually collected as the revenues of the United States of America.

So it is a big number. The refusal of the Republicans to let us attack one single loophole, not one loophole—every loophole is sacred right now to them—I think is unjustified. I hope the people of America understand we are not looking at more tax rate increases; we are looking only at closing these loopholes. It is a rich field to pursue because more money goes through that than actually gets collected. You can bet, if you are an average American, that when those loopholes were being carved into the Tax Code, you were not in the room. The special interests were in the room.

That is why a lot of people want to defend them. But it is also a very good reason for making a more honest Tax Code that gets rid of these loopholes. But our friends want to crisis manufacture. They want to do crisis manufacture so they can force-feed on all of us bad economic ideas that Americans do not want. I think we need to resist that.

I yield to the chairman.

Mr. LEVIN. Again, if my friend would yield, the name of the bill which the Senator cosponsored is called Cut Unjustifiable Tax Loopholes.

There are plenty of tax deductions which are totally justified. Mortgage interest is justified, accelerated depreciation, there are all kinds of contributions.

Mr. WHITEHOUSE. Charitable deductions.

Mr. LEVIN. These are justifiable tax deductions. What we are talking about are the unjustifiable ones which shouldn't be there. As the Senator points out, we are not proposing tax rate increases. The way I phrase it is I am talking about collecting taxes which should be paid.

Mr. WHITEHOUSE. Yes.

Mr. LEVIN. Not increasing taxes or the rates for taxes, but collecting the taxes which, in all justice, really should be collected by Uncle Sam.

Mr. WHITEHOUSE. Let me thank the chairman for allowing me to join him today. He has shown great leadership in this area, and I am privileged to be here with him today.

I yield the floor.

IMMIGRATION

Mr. LEAHY. Mr. President, after several hearings and five lengthy markup sessions, the Senate Judiciary Committee Tuesday evening voted with a strong bipartisan vote of 13–5 to report the Border Security, Economic Opportunity, and Immigration Modernization Act to the full Senate. This vote demonstrated our commitment to bring millions of people out of the shadows and into American life by establishing a pathway to citizenship for the 11 million undocumented immigrants in this country. It addresses the lengthy backlogs in our current immigration system that have kept families apart sometimes for decades. It grants a faster track to the ''dreamers'' and to the agricultural workers who are an essential part of our communities and our economy. It makes important changes to the visas used by dairy farmers, tourists, and investors who create American jobs that spur our economy. It improves the treatment of refugees and asylum seekers so that the United States will remain the beacon of hope in the world.

I am immensely proud of the process through which the Judiciary Committee considered this bill. The Committee held more than 37 hours of debate in five markup sessions spread over almost 2 weeks. We considered 212 amendments offered by Republican and Democratic Senators, and voted to accept 141 of those amendments. The committee accepted amendments from nearly every member of the Judiciary Committee. Every Republican member but one offered amendments the committee voted to accept by a bipartisan majority. Senator CRUZ is the lone exception and his amendments were all defeated by bipartisan majorities.

Of the more than 300 amendments filed, more than 200 were debated. By contrast, during the committee's consideration of the Immigration Reform and Control Act of 1986, the number of amendments voted on was 11. In 2006, the committee's consideration of the Securing America's Borders Act voted on approximately 60 amendments. The quality of the debate and the effort that went into it is a testament to the committee and each of its members, even those who ultimately voted against the bill.

As Chairman of the Senate Judiciary Committee, I ensured more process and transparency than any previous committee consideration of immigration reform. Committee members filed their amendments 2 days before our first markup, giving members, their staffs and the public ample time to review those amendments so they could be thoroughly debated. For the first time in the committee's history, amendments were posted online on our committee website for the public to review. The markup meetings themselves were broadcast online and on public television so that they could be viewed across the country. Many members of the public also lined up early each morning to attend the meetings in person. Families, faith leaders, advocates and community leaders were present to witness the committee's deliberations. This was an open, thorough, and thoughtful debate.

In real time, as members accepted and rejected amendments, the committee's website was updated to reflect which amendments were modified, accepted or defeated. In addition to the live webcast and gavel-to-gavel coverage on C–SPAN, I provided regular updates through the Judiciary Committee's website, Twitter and other means. I was heartened to see a Vermont editorial describe the Judiciary Committee markup as a ''lesson in democracy.''

The committee unanimously approved my amendment to permanently authorize and further strengthen the EB–5 Regional Center Program which will benefit the economy. The United States Citizenship and Immigration Services, USCIS, estimates that the EB–5 Regional Center Program has created tens of thousands of American jobs and has attracted more than $1 billion in investment in communities all across the United States since 2006. Senator SESSIONS spoke in support of my amendment before it was adopted without a single vote in opposition.

Another example of the Committee's bipartisan efforts to improve this legislation was offered by Senators HATCH, COONS and KLOBUCHAR, to increase certain immigration fees and direct a portion of the proceeds to the States to

fund science, technology, engineering, and mathematics education and training that will help drive American competitiveness. Senator SCHUMER offered a second degree amendment to ensure that a percentage of the funding is used to promote STEM education in groups that are underrepresented in the sciences, such as women and racial minorities. Both amendments were accepted by the committee by unanimous consent.

The committee considered 35 amendments to strengthen the bill's border security provisions offered by both Republicans and Democrats. Of the 26 amendments accepted to this section, 10 were offered by Republicans. Senator GRASSLEY offered an amendment to expand the Comprehensive Southern Border Strategy to include all border sectors, not just high-risk sectors. The committee accepted amendments by Senators FLAKE and GRASSLEY to increase oversight of DHS enforcement strategies, and amendments by Senators SESSIONS and CORNYN to protect border communities. These amendments add to, and strengthen, the strong enforcement provisions already included in the bill.

These amendments are just a few of the amendments offered to strengthen provisions in the pre-Title and Title I border security provisions and promote jobs and innovation in the non-immigration visa provisions in Title IV of the bill. Other bipartisan proposals to provide assistance for American workers to apply for jobs in the technology sector and establish employee reporting requirements to address potential abuse of the visa system have also been adopted.

The Judiciary Committee debated and accepted 48 amendments offered by Republican members. I was encouraged by the committee's open and respectful debate. In a time where partisan brinksmanship has become the norm, the Judiciary Committee was able to demonstrate the need for compromise and find common ground to stand on in pursuit of comprehensive immigration reform. The result of our committee's consideration is a stronger, more bipartisan bill, and I look forward to working with the rest of the Senate to ensure its passage.

The bill is not the one that I would have drafted. I voted for amendments that were rejected and against amendments that were accepted. The bill mandates more than $1.5 billion of more southern border fencing, which I believe a mistake. My greatest disappointment is that the legislation that comes from the Senate Judiciary Committee does not recognize the rights of all Americans, including gay and lesbian Americans who have just as much right to spousal immigration benefits as anyone else. I will continue my efforts to end the needless discrimination so many Americans face in our immigration system. This discrimination serves no legitimate purpose and it is wrong.

Since the beginning of this Congress, I have tried to make comprehensive immigration reform our top legislative priority in the Senate Judiciary Committee. In January at Georgetown University Law Center, I outlined my expectation that comprehensive immigration reform would be the matter to which the Judiciary Committee would devote itself this spring and announced an early hearing to highlight the national discussion. I followed through. The committee held three hearings on comprehensive immigration reform in February and March.

I have said since the beginning of the year that I was looking forward to seeing principles turned into legislation. The Judiciary Committee has now advanced such a bill. We completed our work a month later than I had hoped, but we had to begin much later than I had hoped. We were able to make up ground by concentrating our efforts during the 5 weeks since the bill was introduced in which we held three more hearings and five extended markup sessions.

I have favored an open and transparent process during which all 18 Senators serving on the Senate Judiciary Committee had the opportunity to participate and to propose or oppose ideas for reform. The Majority Leader agreed that we needed regular order in the consideration of comprehensive immigration reform. The process took time and was not easy. There were strongly-held, differing points of view.

I am encouraged that after two resounding presidential defeats, some Republican politicians are concerned enough about the growing Hispanic voting population that they are abandoning their former demagoguery and coming to the table. In what is being called its ''autopsy'' of the last election, the Republican National Committee wrote: ''Hispanic voters tell us our Party's position on immigration has become a litmus test, measuring whether we are meeting them with a welcome mat or a closed door.'' After slamming the door on our efforts for comprehensive immigration reform during the Bush administration, I welcome Republicans to this effort. I continue to fear that some merely want to talk the talk while looking for excuses to abandon what needs to be a bipartisan effort.

Few topics are more fundamental to who and what we are as a Nation than immigration. The Statue of Liberty has long proclaimed America's welcome: ''Give us your tired, your poor, your huddled masses yearning to breathe free. . . . Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!'' That is what America has stood for and what we should continue to represent. Immigration throughout our history has been an ongoing source of renewal of our spirit, our creativity and our economic strength.

In the course of our deliberations I have quoted my friend of many years, Ted Kennedy. In the summer of 2007, as our effort at comprehensive immigration reform was being blocked in the Senate, he spoke about his disappointment and our resolve. He said: ''A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority of the Senate rejected America's own extraordinary immigrant history and ignored our Nation's most urgent needs. But we are in this struggle for the long haul. . . . As we continue the battle, we will have ample inspiration in the lives of the immigrants all around us.'' I have taken inspiration from many sources, from our shared history as immigrants and as Americans, from the experiences of my own grandparents, and from our courageous witnesses Jose Antonio Vargas and Gaby Pacheco and from the families that can be more secure when we enact comprehensive immigration reform.

The dysfunction in our current immigration system affects all of us and it is long past time for reform. I hope that our history, our values, and our decency can inspire us finally to take action. We need an immigration system that lives up to American values and helps write the next great chapter in American history by reinvigorating our economy and enriching our communities. Together we can work to pass a bill that repairs our broken immigration system.

POSTAL REFORM

Mr. LEAHY. Mr. President, this year, as I do every year, I have met with many Vermonters who have come up to me to express their views about the future of the U.S. Postal Service. But this year, these meetings have taken a different tone. Today, rather than asking me how the Senate can make a durable and effective institution even stronger, Vermonters ask me how the Senate can stave off the impending default of the Postal Service. I hear these questions from businesses, from private citizens, and from postal employees. I am stopped by Vermonters in the grocery store or at the gas pump, wanting to know what we in the Senate will do. Vermont, because of our mostly rural population, is more dependent on the Postal Service than are urban and densely populated States. Vermonters, almost to a person, subscribe to Ben Franklin's vision of a public Postal Service that guarantees the delivery of mail to everyone.

These questions about the coming collapse of the Postal Service are strange to say the least. The USPS posted a $100 million profit from its business operations during the first quarter of fiscal year 2013. So how is it that a company that made $100 million in the first quarter of this fiscal year is in financial trouble? As in far too many other instances, the problem is not with the Postal Service, the problem is with the United States House of Representatives.

In 2006, by unanimous consent, the Senate took up and passed the House's Postal Accountability and Enhancement Act. One of the provisions of this bill, meant to shore up the long-term security of postal retiree health benefits, required that the Postal Service begin the prepayment of health benefits 75 years in advance. While no other public agency or private business stipulates this degree of prepayment, I consented in 2006 because the economy was strong, the Postal Service could manage these prepayments, and I believed that any needed changes to the proposal could be made with the same level of bipartisan comity as in 2006. How wrong I was.

Of course, since 2006, the economy has collapsed, first-class mail volume has fallen precipitously, and bipartisanship in the Congress has taken a nose dive. These factors together explain how the U.S. House of Representatives has converted a $100 million profit in the first quarter of fiscal 2013 into a $1.3 billion loss. While many American businesses have gone under during the Great Recession and others have struggled just to stay afloat, House Republicans have refused to budge on the health benefits prepayment.

You may ask why the onus resides at the feet of House Republicans. After all, the Senate consented to the 2006 House Republican-sponsored bill. But since that time, only the U.S. Senate has taken measures to solve the problem. Last year we took up and passed the 21st Century Postal Service Act of 2012, which would have lightened the fiscal burden on the Postal Service until its lost revenues from the economic slump and reductions in first-class mail could be offset by growth into the package delivery market. This bill was passed on a bipartisan basis here in the Senate despite record-breaking partisanship by the Senate minority. I should note, as with any bipartisan measure, there were provisions in this bill with which I disagreed. Yet it turned out to make little difference, since the Senate bill languished in the House. In fact, the House even failed to take up its own bill and pass it as an alternative to the Senate proposal.

Meanwhile, the Postal Service continues to stagger under the crushing burden of 75 years of prepayments for retiree health benefits. This effort, which originally looked like a reasonable effort to shore up retiree benefits, has become the proverbial albatross.

Rather than addressing this problem, the strategy of the House of Representatives appears to be to force the Postal Service into default, at which point their draconian demands for slashing cuts will look reasonable by comparison to their manufactured crisis. If this strategy sounds familiar, it should—it is the same strategy Republicans used to negotiate the Budget Control Act of 2011, using U.S. credit worthiness as a hostage they seemed more than willing to kill. This strategy ultimately cost the United States its triple-A rating with Standard and Poor's and an estimated $1.3 billion in additional interest payments in 2011 alone, according to the Government Accountability Office. And that figure will escalate with time. That's $1.3 billion more that taxpayers will pay to Chinese lenders and Wall Street banks in order for Republicans to secure sequestration cuts to Medicare cancer treatments, cut National Guard technicians' salaries through furlough, and reduce Head Start programs for needy children.

The strategy worked so well in the summer of 2011 that it has overtaken everything else in the Republican playbook. Unable to sell a shrinking vision of America to voters in 2012, Republicans are left with procedural mechanisms to obtain their desired outcome. Ironically, if they are successful, they are likely to simultaneously celebrate victory and blame President Obama and Senate Democrats for letting them get their way. If that seems like an absurdity, compare the conflicting statements of the Speaker of the House JOHN BOEHNER and Chairman of the National Republican Congressional Committee GREG WALDEN on proposed cuts to Social Security in the President's 2014 budget proposal. The President finally proposed reductions to entitlement programs after Republicans had long demanded such cuts, eliciting muted praise from Speaker BOEHNER while Chairman WALDEN accused the President of ''going after seniors.'' I should note that as part of House leadership, Chairman WALDEN works for Speaker BOEHNER.

So do not be surprised when a new rendition of this plan causes a default by the Postal Service, after which Republicans demand reductions in the Postal Service's competitive product line and massive layoffs of postal employees. I supported last year's Senate postal reform bill in the hope of striking a compromise. But there are better ways to balance the Postal Service's books, and recognizing that the House has refused compromise, I am glad to join Senator SANDERS and other Democratic Senators in a full-throated articulation of a better vision for the USPS.

This vision is articulated by our bill, the Postal Service Protection Act of 2013. This bill would allow the Postal Service to recover huge retirement pension overpayments estimated by the Inspector General of USPS to be $75 billion. It would alleviate the remaining health benefits prefunding requirement. It would protect postal customers from having their local postal facilities closed without the Postal Service following proper criteria. The bill would permit the Postal Service to sell non-postal products and services. It would allow the mailing of beer or wine by a licensed manufacturer in accordance with the laws of the States. It would permanently protect one of the Postal Service's greatest commercial advantages over its competitors, Saturday delivery. And it would set the table for long-term growth into the package delivery market by establishing a Chief Innovation Officer and a Postal Innovation Advisory Commission.

Like any business enterprise, the Postal Service cannot cut its way to greatness. It must find areas where it can grow. The Postal Service Protection Act of 2013 would give the Postal Service the financial breathing room and innovation mechanisms it needs to chart a new and sustainable course in the next century, when email and package delivery will supplant first class mail. These changes do not diminish our commitment to Ben Franklin's vision; they facilitate its renewal, recognizing that while change is not easy, it is also unavoidable. In that spirit, I call on all Senators to join me in cosponsoring Senator SANDERS' Postal Service Protection Act and in keeping faith with Americans by protecting an indispensable American institution.

TRIBUTE TO JOHN VARRICCHIONE

Mr. LEAHY. Mr. President, I wish to recognize a man who is a leading contributor to the preservation of the Italian community in Burlington, VT.

John Varricchione grew up in a former Italian neighborhood adjacent to downtown Burlington. I have my own fond memories of that neighborhood, travelling with my mother—a first generation Italian-American—from Montpelier to Burlington to shop in the small, family-owned, Italian markets there. Only remnants of the neighborhood remain, as most of it was lost to urban renewal in the 1960s.

I had the pleasure of joining John and other members of the Vermont Italian Club for the dedication of a historic marker, which serves as a reminder of the wonderful neighborhood in which he grew up, and of the people who lived there. John was instrumental in making the marker possible. We all shared wonderful Italian food after the dedication ceremony. I was honored to be part of such a special event.

John never moved far from the old neighborhood. He stayed in Vermont and became an outstanding teacher and coach at Rice Memorial High School—a Catholic school in South Burlington—where he became affectionately known among students as ''Mister V.'' Many Rice graduates consider him a favorite teacher.

John's contributions to the Vermont Italian Club, and his efforts to preserve our State's Italian heritage, are many. In honor of his work, I ask unanimous consent that an article published in The Burlington Free Press on May 10, 2013, ''Fragrant memories of Burlington's deep Italian roots,'' be printed into the CONGRESSIONAL RECORD.

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

[From the Burlington Free Press, May 10, 2013]

FRAGRANT MEMORIES OF BURLINGTON'S DEEP ITALIAN ROOTS

(By Melissa Pasanen)

John Varricchione, 66, has strong memories of growing up in the heart of Burlington's Little Italy, he said last Monday while he and his wife helped their friend Mary Anne Gucciardi make a batch of her famous meatballs in their Burlington kitchen.

At one point, Varricchione donned an apron imprinted with the name of the Vermont Italian Club and three photos from the early 1900s of three families who were among the pillars of the community: the Eveltis, the Varricchiones and the Merolas.

His grandfather, Luigi Varricchione, originally came to Burlington in 1912 at the suggestion of the Merolas who preceded him and who hailed from the same town about an hour east of Naples back in Italy.

The family first lived on Cherry Street at the core of the Italian neighborhood, and Luigi Varricchione made wine in his basement like many of the area's Italian families. He was a member of the Vermont Italian Club in the 1930s when it was men-only, although the club hosted regular meals for everyone, charging 50 cents for men and a quarter for women and children. The club maintains the tradition with an annual fundraising dinner in late winter or early spring. (See vermontitalianclub.org for more information.)

Varricchione remembers back to when he was 9 or 10 ''going to mass with my father at the old Cathedral of the Immaculate Conception'' and then walking a block to where his grandmother lived on South Union Street with one of her sons after her husband passed away.

''There were grapevines growing up the wall and a garden in the back for herbs,'' Varricchione recalled. ''Grandma would often be making pasta from scratch and it would be hanging all over on wooden drying racks or laid out on the bed on a clean sheet. She would serve me a bowl of pasta with sauce or a bowl of her greens and beans. On occasion,'' he added, ''she'd pull out the anisette and little Johnny got to taste.''

Both Varricchione and Gucciardi recalled the bustling Italian stores with cheeses and salamis hanging from the ceiling and shelves holding big jars of olives and boxes of torrone, Varricchione's favorite nougat candy.

''We'd go to the store for penny candy,'' said Varricchione. ''There was Merola's and also Izzo's Market. Both stores were very generous in allowing people to buy on credit.'' The whole neighborhood was lost to urban renewal by the late 1960s, Varricchione explained sadly.

Looming large in his recollections was the image of the Italian mama ''with plenty of love and food to share,'' Varricchione said. There were always many mouths to feed, he said with a chuckle: ''There weren't too many small Italian families.''

Varricchione's parents, Francesco and Simone (known as Si), raised their eight children at 85 Bank St. and then 78 Pine St. (now a law office).

''We would have crowds to eat,'' said Varricchione, recalling with relish how his mother browned pork chops and then slow-braised them in red sauce. Even though his mother, like Gucciardi's mother, was originally French-Canadian, she learned all the Italian recipes and became a true Italian mama and then nonna.

In a family history written by Varricchione's wife, Joanne, she describes the scene:

''Everyone managed to squeeze around the kitchen table while Nona [sic] stood watch over the stove, stirring her delicious sauce. The menu seldom varied: spaghetti and meatballs, chicken or pork, salad, wine, garlic bread and ice cream. The laughter and commotion only added to the wonderful aromas and meals she prepared . . . Si seldom sat down and ate with the family; she preferred to make sure everyone had enough to eat. ('Does anyone need more sauce?' was the question she always asked.) 'No, Ma. Come and sit down.' 'I will in a minute.' It was a habit she never broke.''

TRIBUTE TO MARY ANNE GUCCIARDI

Mr. LEAHY. Mr. President, Vermont is home to many treasures, from our natural beauties to our manufactured goods to our award-winning agricultural industry. It is also home to many spirited personalities, and today I would like to honor one of them: a good friend and talented cook, Mary Anne Gucciardi. Affectionately known as ''Mama Gucc'' to those who have had the good fortune of sitting at her dining room table, she makes newcomers feel like old friends. For more than two decades, she has opened her home to hundreds of University of Vermont sports teams, from skiing to soccer, hockey to basketball. Her menu includes classics like baked stuff mushrooms, chicken cacciatore, and of course meatballs and sauce. The mere mention of her name makes both coaches' and athletes' mouths water.

Mama Gucc grew up in Haverhill, Massachusetts, the daughter of an Italian-American father and a French-Canadian mother. It was her mother's Italian mother-in-law who served as the inspiration for Mama Gucc's gourmet Italian favorites. As the grandson of Italian immigrants myself, I have benefited from Mama Gucc's lavish feasts. She has made me feel right like I was right back in my own mother's kitchen. Mary Anne's heart is even bigger than her generous portions. She has not only cooked for hundreds of athletes, hosted distinguished guests such as bishops, senators and governors, but she has prepared countless charity dinners, raising over $50,000 in scholarships in memory of a UVM student, Kevin Roberson, tragically killed in a car accident. Her love for cooking and for hosting has made ''Mama Gucc'' a surrogate mother for the lucky student-athletes to come through her door, making those students, sometimes hundreds of miles from their families, feel right at home. In 1999, The University of Vermont honored Mama Gucc and her husband by naming a new fitness facility the Richard and Mary Anne Gucciardi Recreation and Fitness Center, a tribute most rightfully deserved.

From every Vermonter who has indulged in Mama Gucc's famous cooking, and has been blessed with her warm hospitality and generous support, we thank Mary Anne Gucciardi for providing a home-away-from-home to all who have passed through her doors.

I ask unanimous consent that The Burlington Free Press article, ''Celebrating the Italian Mama,'' be printed in the RECORD.

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

[From the Burlington Free Press, May 10, 2013]

''CELEBRATING THE ITALIAN MAMA''

Among iconic maternal figures, the Italian mama or nonna (grandmother) hovering over a fragrant pot of tomato sauce ranks high—and few bring the legend to life better than South Burlington's Mary Anne Gucciardi.

Recently in the Burlington kitchen of friends, Gucciardi, 80, known as Mama Gucc (pronounced ''gooch''), arrived not only with ingredients to make her famous meatballs and sauce, but also containers of meatballs and sauce, Italian wedding soup and sausage Calabrese to give away.

''You get back what you give out,'' said the mother of four and grandmother of four with a smile and a shrug.

If that were literally the case, Gucciardi would be swimming in an ocean of herb-flecked tomato sauce with meatballs.

For more than two decades until just a few years ago, Gucciardi regularly cooked huge Italian feasts for a number of University of Vermont sports teams with the support of her husband and family. Her multi-course dinners—usually once a season for the ski, soccer, hockey and basketball teams—included a variety of home-cooked Italian classics like minestrone, baked stuffed mushrooms, chicken cacciatore, meatballs and sauce, and lasagna for as many as 40 team members.

''She opened up her home to us,'' said longtime UVM men's ice hockey coach, Mike Gilligan. ''She just treated the kids and the coaches like they were her own family.''

''Mama Gucc was just wonderful,'' agreed former men's basketball coach, Tom Brennan. ''She took care of us before we got pretty,'' he joked, referring to the pre-championship-era of his team. ''The food was always so lavish, from soup to nuts . . . You know these kids, they eat like horses. Everybody would eat until they couldn't stand up.''

''She was always there for us,'' Brennan continued, recalling how Gucciardi accompanied the team to the 1993 funeral of their recently graduated teammate, Kevin Roberson, who had been tragically killed in a car accident. ''It was so comforting to have her there and she brought a big pile of food.''

In addition, the Gucciardi family held frequent dinner parties for distinguished guests including coaches, senators, governors, professors and bishops, and also cooked countless benefit dinners, which raised more than $50,000 for a UVM scholarship fund in Roberson's name. In September 1999, UVM honored Gucciardi and her husband by naming a new 6,000-square-foot fitness facility the Richard and Mary Anne Gucciardi Recreation and Fitness Center.

It all began after Gucciardi met some student-athletes while helping with a Newman Catholic Center fundraiser, she explained while mixing together a double batch of meatballs. (''I never make a single batch,'' she said.) During winter break, when athletes often had to stay on campus to train, she said, ''they were away from home, looking for a good meal. There was a lot of joy in seeing them enjoy the food.''

Gucciardi also shared a more personal motivation to give back after her youngest son, now 50, survived a very serious car accident when he was 3½. The family was in the process of moving to Burlington where her husband had landed a job with General Electric.

For six weeks, Gucciardi slept by her son's bedside in the hospital and prayed daily in the chapel at UVM. The local Italian community warmly welcomed them, she recalled, and offered support. ''I just always said I would give back for what was given to us,'' she said.

FAMILY RECIPES

Scraping the fat and caramelized bits from a pan of roasted Italian sausage into her sauce pot, Gucciardi explained that she has taken family recipes and ''made them my own over the years.''

She grew up in Haverhill, Mass., with an Italian-American father and a French-Canadian mother, but her mother learned to cook Italian from her mother-in-law, Gucciardi's paternal grandmother, ''a great cook,'' Gucciardi said.

After frying the onions and garlic in the sausage fat (''You just get such flavor from that,'' she explained), Gucciardi added tomato paste and canned Italian tomatoes along with a little water and generous amounts of dried parsley and basil, which would come fresh from her garden in the summer, she said.

''I never measure anything,'' she added apologetically.

Luckily for her fans, Gucciardi taught a series of cooking classes in the mid-'80s for which she had to write down her recipes. It was in that class that Gucciardi met John Varricchione, in whose Burlington kitchen she was cooking last week.

Varricchione, 66, a retired teacher and football coach at Rice Memorial High School, grew up in the center of Burlington's Italian community where, just like in Gucciardi's family, his paternal grandmother taught his French-Canadian mother to cook family favorites.

''But I never got my grandmother's recipes,'' he said with regret.

Last week, Varricchione and his wife, Joanne, helped Gucciardi form meatballs while her sauce simmered on the stove. The Varricchiones' 3-year-old grandson, Carlo Pizzagalli, popped in and out of the kitchen to visit with his grandparents and ''Mama Goose,'' as he called her.

The cooks used a small ice cream scoop to measure out each meatball, a tool Gucciardi said she adopted years ago when student-athletes helped her to produce meatballs for fundraising dinners during which they would feed more than 800. ''I had it down to a science,'' she said proudly.

Gucciardi watched her helpers with a kind but careful eye. ''If they have any cracks in them, I reject them,'' she said, explaining that they would fall apart in the sauce.

As they worked, the scent of meatballs and simmering sauce filled the kitchen. ''I can smell those meatballs cooking,'' said Gucciardi happily.

''That's always a good thing,'' agreed Varricchione.

The first batch of meatballs emerged from the oven, brown and sizzling, and the second batch went in. Gucciardi stirred a generous pinch of sugar into her sauce to balance the acidity of the tomatoes.

When the meatballs had cooled a little, Carlo tasted one and gave his full approval, followed by a big hug for the cook.

The next generation had fallen in love with the cooking of Mama Gucc.

MEMORIAL DAY

Mr. MCCONNELL. Mr. President, Monday, May 27, is Memorial Day—the day Americans set aside to honor the brave men and women in uniform who have made the greatest possible sacrifice for their country.

Memorial Day was informally begun by MG John A. Logan, the head of an organization of Union Army Civil War veterans, in 1868. It is believed Major General Logan chose a date in late May because flowers would be in bloom all over the country. He asked the Nation to decorate the graves of the war dead with flowers.

Mr. President, 1.1 million Americans have died defending the country in our Nation's wars. Freedom as we know it—here at home and around the world—would not exist without their heroism.

The Commonwealth of Kentucky has played a vital role in this Nation's defense during our history. I am honored to represent Kentuckians in the Armed Forces, including those stationed at Fort Knox, Fort Campbell, the Blue Grass Army Depot, and members of the Reserves and Kentucky National Guard.

At Fort Knox, the Memorial Day ceremony this year will continue a tradition of honoring the memory of one particular fallen soldier. This year, that soldier is PFC David P. Nash of Daviess County, KY.

While serving in Vietnam on December 29, 1968, 20-year-old Private First Class Nash valiantly rolled on top of an exploding grenade to save the lives of three other soldiers. We must not forget the deeds of Private First Class Nash, or the many other men and women in uniform who gave their lives in service.

Memorial Day is a day to honor their memories, and to let their loved ones know our country has not forgotten them. I know my fellow Kentuckians agree that we are honored to fly the flag which these brave heroes sought to protect.

Ms. MURKOWSKI. Mr. President, I rise to recognize the importance of Memorial Day, a day that means so much to me, the Nation, and those I represent in Alaska. For many Alaskans, Memorial Day means the unofficial beginning of summer, sunlight, and enjoying the great outdoors.

But let us never forget the deep, true meaning of Memorial Day. It is about taking time to pay respect, and appreciating the sacrifices of men and women who have defended the rights and privileges we enjoy today. On this solemn day in which Americans unite to remember our Nation's fallen, we also pray for our military personnel and their families, our veterans, and all who have lost loved ones.

For over two centuries, brave men and women have laid down their lives in defense of our great Nation. These heroes have made the ultimate sacrifice so we may uphold the ideals we all cherish. Ordinary men and women of extraordinary courage have, since our earliest days, answered the call of duty with valor and unwavering devotion. America's sons and daughters have served with honor and distinction, securing our liberties and laying a foundation for lasting peace.

Memorial Day officially began nearly 100 years before Alaskan statehood, but even in our territorial days we had Alaskans who fought on our own soil against foreign enemies—one of the few States that can say such a thing. It is because of those early successes—and the success of Alaskans from then to those deployed today—that we salute our flag.

Although we may not be able to fully measure the cost of our heroes' sacrifice, we can commit ourselves to preserving their memory. So on Memorial Day 2013, I ask that we honor our fallen heroes, comfort the loved ones of those we lost, and carry on our lives in a manner that is worthy of their sacrifice. May God continue to bless our great Nation.

Mr. CARDIN. Mr. President, as Memorial Day 2013 approaches, as our fellow Americans are making plans to have cookouts, enjoy the outdoors, and spend precious time with their loved ones, I believe we should remember that the reason we are able to enjoy these moments is because of the military servicemembers who have given ''the last full measure of devotion'' in the service of our great Nation. From the American Revolution to the wars in Iraq and Afghanistan, brave young men and women have always answered the call to fight for our country and for our freedom. They have made many sacrifices, and as we remember in particular those who have fallen, I am inspired by their courage and dedication to freedom. The death of each one of these service men and women represents not only a tragic loss to their loved ones, but to their community and to the country.

This Memorial Day should be observed as a time for all Americans to reconnect with our history and core values by honoring those who gave their lives for the ideals we cherish. In addition to remembering the servicemembers who have fought and died in our Nation's wars, I believe that we must also take care of the servicemembers and veterans who are still with us. There are, regrettably, serious issues that still need to be addressed with regard to our military and veteran communities. Active-Duty military and veteran suicides are at record rates, Veterans Administration disability claims continue to be severely delayed, programs that assist discharged servicemembers transition to civilian life are still inadequate, and many of our servicemembers and veterans still lack the healthcare they need—and are entitled to—after a decade of war. I believe that we in the Congress must do everything we can do to remedy these problems. As George Washington famously said ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive veterans of early wars were treated and appreciated by our Nation.'' I believe this statement has added weight and meaning and truth with our

Nation's movement to an all-volunteer military after the Vietnam War.

With fewer than 1 percent of our Nation's population on active military duty, the gap between those who have served in uniform and those who have not has never been greater. These differences in life experiences have led to misguided perceptions of how each group views the other. The widening of this ''civilian-military gap'' makes it less likely that our servicemembers and veterans will properly reintegrate back into our society, and less likely that our best and brightest will pursue military service. As a society, we must address the problem. If we can't care for the service men and woman and their families who have made so many sacrifices on our behalf, then holidays such as Memorial Day end up having little relevance. One veteran I recently met with said to me, ''I fought proudly for my country in Afghanistan, but when I came back I didn't feel like I came back. I'm still waiting to feel like I came back.'' No American who has worn the uniform of this country should have to feel this way.

Memorial Day is a day we Americans hold close to our hearts because in the sometimes hectic pace of our daily lives, we can forget just how fortunate we are. Memorial Day reminds us. Throughout this holiday weekend we will see many American flags and flowers adorning the graves of those who have made the ultimate sacrifice for our Nation. I will especially remember in my thoughts and prayers the 127 Marylanders who have been killed in our most recent conflicts, and I will remind myself that our freedom isn't free. And I will remember that the best way to honor their ultimate sacrifice is to ensure that we are unwavering in our support to care for those who do return to us wounded, ill, and injured. This Memorial Day, let us affirm our commitment to those who have returned from the fields of battle as the best way to honor their fallen comrades.

PUERTO RICO

Mr. WICKER. Mr. President, it is important for the United States to continue its efforts to promote a close relationship with Puerto Rico and its citizens. That includes supporting a fair and democratic process for Puerto Ricans on the perennial and controversial issue of statehood.

I commend Puerto Rico's new Governor Alejandro Garcia Padilla on his work to tackle the current challenges facing the island, particularly on the economic front. Congress has long supported reciprocity between Puerto Rico and the United States, with very positive results. When the Puerto Rican economy flourishes, trade with the United States increases, helping promote job creation here at home.

I am disappointed the most recent budget proposal submitted to Congress by the White House recommends $2.5 million in fiscal year 2014 to conduct yet another referendum on Puerto Rico's political status. Allocating U.S. taxpayer dollars for this purpose is wasteful and unnecessary, since a plebiscite was just held in Puerto Rico last November on this very question.

The vote on Election Day specifically called for Puerto Ricans to express their views on the island's political status. Its backers sought to show that popular support exists for turning Puerto Rico into a State. But it is widely acknowledged that the ballot was not developed in a fair and inclusive manner. It instead presented statehood alternatives with a predetermined result in mind, to force Puerto Ricans toward an option they have rejected time and again, and to stack the deck in favor of statehood.

The first part of the ballot asked whether or not Puerto Rican voters wanted to continue their territorial status. The second portion then provided three different non-territorial alternatives: statehood, sovereign free associated state, or independence. Keeping the island's current Commonwealth status was not even listed as an option in the second round.

As expected, a slim majority—nearly 51.7 percent of the 1.9 million who voted—opted for changing the current status. However, in response to the second question, 834,191 voters chose statehood, 498,604 left the second question blank, 454,768 selected sovereign free associated state, and 74,895 favored independence. Any way you slice it, 1,028,267—or nearly 55 percent—of the Puerto Ricans who traveled to the polls voted for options other than statehood.

As Congresswoman NYDIA VELÁZQUEZ, the first woman of Puerto Rican heritage elected to the United States House of Representatives, correctly pointed out: ''Casting a blank ballot is part of traditional form of objecting to an unfair process in Puerto Rican political history.'' In accordance with this tradition, the Commonwealth Party in Puerto Rico adopted a resolution calling on Puerto Rican voters to protest last November's plebiscite process by casting blank ballots.

When you include the nearly half a million voters who left the second question on the ballot blank, it is clear—despite the claims of some statehood proponents—that a majority of voters do not support statehood for Puerto Rico. In fact, more than 1 million, or nearly 55 percent, of Puerto Rican voters who participated in the plebiscite actually demonstrated support for something other than statehood.

A concurrent resolution was adopted last week by the legislature in Puerto Rico stating that the plebiscite on November 6, 2012, portrayed a false majority in favor of statehood and prevented an accurate vote on the option of Commonwealth status. I ask unanimous consent to insert into the RECORD the text of that resolution.

THE SENATE AND THE HOUSE OF REPRESENTATIVES OF PUERTO RICO

COMMONWEALTH OF PUERTO RICO

THE CAPITOL

We, EDUARDO BHATIA-GAUTIER, President of the Senate, and JAIME R. PERELLÓ-BORRÁS, Speaker of the House of Representatives,

CERTIFY

That the Senate of Puerto Rico and the House of Representatives of Puerto Rico approved in final vote Senate Concurrent Resolution No. 24, introduced by Messrs. Nadal-Power and Rosa-Rodríguez and Co-sponsors Messrs. Fas-Alzamora, Tirado-Rivera, Bhatia-Gautier, Dalmau-Santiago, Torres-Torres; Mmes. López-León, González-López; Messrs. Nieves-Pérez, Péreira-Castillo, Rivera-Filomeno, Rodríguez-González, Rodríguez-Otero, Rodríguez-Valle, Ruiz-Nieves, Suárez-Cáceres, and Vargas-Morales and that the same reads as follows:

CONCURRENT RESOLUTION

To inform the President and the Congress of the United States about the results of the plebiscite held on November 6, 2012, and support the request of the President of the United States of America for the Congress to appropriate $2.5 million to the State Elections Commission for a federally-sponsored plebiscite after conducting the appropriate voter education campaign, which incorporates all options, including the enhanced Commonwealth, based on the principles of fairness and equality; to authorize the disbursement of funds; and for other purposes.

STATEMENT OF MOTIVES

On November 6, 2012 a plebiscite was held in Puerto Rico along with the general elections. The results of such plebiscite were inconclusive because none of the options on Puerto Rico's political status that received a majority of votes. Said plebiscite consisted of two separate questions, formulated by the preceding pro-statehood government administration, which favored statehood for Puerto Rico, in order to portray a false majority in favor of statehood and prevent such formula from competing against the Commonwealth option that had been favored by the people of Puerto Rico in all previously-held plebiscites.

The results were the following: the first question asked voters whether or not Puerto Rico should maintain its current form of political status. Nine hundred seventy thousand nine hundred ten (970,910), that is, fifty-one point seven percent (51.7%) of the people voted ''NO''; whereas eight hundred twenty-eight thousand seventy-seven (828,077), that is, forty-four point one percent (44.1%) of the people voted ''YES.'' However, a total of sixty-seven thousand two hundred sixty-seven (67,267) voters cast a blank ballot, which accounted for three point six percent (3.6%) of voters.

The second question asked voters to choose from options that excluded the current political status. Statehood received eight hundred thirty-four thousand one hundred ninety-one (834,191), or forty-four point four percent (44.4%) of the votes cast; sovereign free associated state received four hundred fifty-four thousand seven hundred sixty-eight (454,708), or twenty four point three percent (24.3%) of the votes cast; and independence received seventy four thousand eight hundred ninety-five (74,895), or four percent (4) of the votes cast. However, such question received a total of four hundred ninety-eight thousand six hundred four (498,604)blank votes, which accounted for twenty-six point live percent (26.5%) of the votes cast. These results should not surprise us, since the preceding Legislative Assembly approved the

plebiscite disregarding the procedural and substantive consensuses required to legitimize any plebiscite held.

The Party that supported the Commonwealth option, which was the political opposition at the time, objected this process. It also argued that the process was contrary to the provisions of H.R. 2499, as amended, approved by the United States House of Representatives, which included the Commonwealth among the options in the second question. Moreover, it stated that the process had been criticized by the White House because it was designed with the intent to conceal the true expression of the people of Puerto Rico.

Commonwealth supporters employed two methods to express their opposition. On the one hand, the Governing Board of the Party supporting the Commonwealth option adopted a resolution asking voters to protest the process by casting a blank ballot, On the other hand, a significant number of pro-Commonwealth leaders openly conducted campaigns in favor of the Sovereign Free Associated State option.

There is no doubt that the voters who wish to express their dissatisfaction with the proposals or the candidates in the ballot, traditionally do so by spoiling their ballots, casting a blank ballot, or voting for a fictional character.

If the United States Congress wishes to know the amount of Puerto Rican voters against statehood for Puerto Rico, the blank ballots should be taken into account because such votes clearly express the intent of voters against statehood. Thus, it should be understood that votes cast in favor of statehood did not exceed forty-four point four percent (44.4%), which shows a two percent (2%) decrease in the historical peak it achieved in 1998. In other words, fifty-five point six percent (55.6%) of Puerto Rican voters rejected statehood in the 2012 plebiscite.

Previously, in 1998, the pro-statehood party had also designed a unilateral and exclusionary plebiscite; nonetheless, voters had the option to vote for ''None of the Above.'' The ''None of the Above'' option received fifty point three percent (50.3%) of the votes cast, followed by Statehood and Independence, which received forty-six point five percent (46.5%) and two point five percent (2.5%) of the votes cast, respectively. The results of the 1998 plebiscite were consistent with those of the 1993 plebiscite, in which the Commonwealth option received forty-eight point six percent (48.6%) of the votes cast, whereas Statehood and Independence received forty-six point three percent (46.3%) and four point four percent (4.4%) of the votes cast, respectively. The only other event of this kind held since the establishment of the Commonwealth of Puerto Rico in 1952, took place in 1967. In the 1967 plebiscite, the Commonwealth received sixty point three percent (60.3%) of the votes cast, while Statehood received thirty-nine percent (39%).

Unfortunately, the preceding government administration in Puerto Rico, whose term ended in December 2012, failed to sponsor a process that would include the recommendations of the President's Task Force on Puerto Rico's Status appointed by President Barack Obama. Such Task Force proposed—on a Report released in March 2011—various methods to ask Puerto Ricans about their political status in a manner that is fair for the supporters of all options. Furthermore, it also failed to address the issue of Puerto Rico's political status in an inclusive and responsible manner,

On April 10, 2013, President Barack Obama included in the budget proposal for the fiscal year 2014, an appropriation of $2.5 million to the State Elections Commission in order to conduct a voter education campaign and a plebiscite which would include all constitutionally viable status options. The action taken by the President of the United States shows that the plebiscite designed by the preceding government administration lacks legitimacy or credibility before the government of the United States of America.

In light of the history of imposed and exclusionary plebiscites that only attest to our people's division with regard to this issue, it is necessary to inform the President and the Congress of the United States about the true results of the plebiscite held on November 6, 2012.

Be it resolved by the Legislative Assembly of Puerto Rico:

Section 1.—To inform the President and the Congress of the United States about the results of the plebiscite held on November 6, 2012, and support the request of the President of the United States of America for the Congress to appropriate $2.5 million to the State Elections Commission for a federally-sponsored plebiscite, after conducting the appropriate voter education campaign, which incorporates all options, including the enhanced Commonwealth, based on the principles of fairness and equality; to authorize the disbursement of funds; and for other purposes.

Section 2.—The results of the 2012 plebiscite were the following: in the first question, which asked voters whether or not Puerto Rico should continue to have its current form of political status, the ''NO'' option received fifty-three point nine percent (53.9%) of the votes cast, whereas the ''YES'' option received forty-six percent (46%). The results of the second question, which asked voters to choose from the options that did not included the current status, were the following: the statehood option received forty-four point four percent (44.4%) of the votes cast (834,191); the ''sovereign free associated state'' received twenty-four point three percent (24.3%) of the votes east (454,768); the independence option received four percent (4%) of the votes cast (74,895), and blank ballots accounted for twenty-six point five percent (26.5%) of the votes cast (498,604).

Section 3.—The foregoing shows that the representations made before the United States Congress stating that the statehood option was favored by the majority of Puerto Ricans, does not accurately reflect the results of the plebiscite on Puerto Rico's status held on November 6, 2012.

Section 4.—A copy of this Concurrent Resolution shall be delivered to the President, the Vice President, and the Secretary of State of the United States, to all the Members of the 113th United States Congress, as well as to all pertinent government and non-governmental organizations, human rights organizations, and the local, national, and international media, among others.

Section 5.—A certified copy of this Concurrent Resolution shall be translated into English and delivered by the Secretary of the Senate and the Clerk of the House of Representatives of Puerto Rico to the members of the United States Congress.

Section 6.—This Concurrent Resolution shall take effect immediately after its approval.

In witness whereof we hereunto sign and affix the Seal of the Senate and the House of Representatives of Puerto Rico. Issued this Tuesday, 14th of May of 2013, at our offices at the Capitol Building, San Juan, Puerto Rico.

EDUARDO BHATIA-GAUTIER,
President of Senate.
JAIME R. PERELLÓ-BORRÁS,
Speaker of House of Representatives.

TRIBUTE TO GEORGE W. SCOTT

Mr. DURBIN. I would like to take a few minutes to recognize a true American hero from my home State of Illinois. George W. Scott of Williamsville, IL, was an airman in the U.S. Army Air Corps during World War II and is a survivor of a group of airmen who were imprisoned at the Buchenwald Concentration Camp by the Nazi government.

Many people have heard of Buchenwald, one of the first and one of the largest concentration camps in Germany. But few people have heard the story of the Lost Airmen of Buchenwald, of which George was one.

In 1944, George was flying a Douglas A–20 Havoc aircraft barely 500 feet off the ground over France when he was shot down by German anti-aircraft guns. He was able to escape the aircraft before it crashed, and he escaped capture for a short time. George hid in bushes and in barns. He even milked a few cows for nourishment. He was fortunate to be taken in by a French family who provided food and shelter. But soon after, he was discovered by the Nazi patrols scouring France for resistance fighters or Allied soldiers and airmen.

George was transported to Buchenwald Concentration Camp in Germany, where he joined 168 Allied airmen from six countries. These airmen were not afforded the Prisoner of War protections outlined in The Hague and Geneva Conventions. Instead, they were classified as ''Terrorflieger,'' or terror flyers, considered criminals and spies, and were not given a trial.

At Buchenwald, the conditions were unimaginable. Many prisoners starved to death within 3 months of imprisonment. Prisoners were beaten, scarcely fed, and forced to work grueling shifts. But the Allied airmen organized themselves into units based on their nationality, appointed commanding officers, and instilled discipline and order. This self-imposed military hierarchy helped them to build morale, work as a team, and increase their chances of survival.

But those chances remained low. George and his fellow airmen were scheduled to be executed at Buchenwald on the orders of Adolf Hitler. Facing their impending execution, the airmen managed to pass a note detailing their captivity in the camp to the nearby Luftwaffe. After visiting the camp, German Luftwaffe officers demanded that the airmen be transferred to their custody. George and his fellow airmen were transferred to a POW camp and liberated when the Russian Army reached the camp in 1945.

It is a remarkable story and one that the U.S. Government kept quiet after the war. Yet George and his fellow airmen deserve immense credit and long-overdue recognition for their immeasurable contribution to the Allied war effort and their unimaginable pain and suffering.

When asked how George managed, at 19 years old, to survive in the unbearable conditions of Buchenwald, he says

that he thought often of his mother and maintained the resolve that ''every time they hit you, you just get back up.''

Now, some 69 years later, George lives just outside of my hometown of Springfield, in Williamsville, IL. He is blessed with a wonderful family, who is steeped in pride and loves him deeply.

I am particularly impressed by George's dedication to our nation, and I hope to express the thanks of a grateful Nation for his service. George is a shining example of the American ideal, fighting for what is right in the face of immense adversity.

REMEMBERING ANNE G. MURPHY

Mr. REED. Mr. President, today I pay tribute to Ms. Anne G. Murphy.

Ms. Murphy, a Rhode Islander by birth and a strong advocate for the arts, passed away in April at the age of 74.

Throughout her distinguished lifetime and career, Ms. Murphy worked to defend Federal investments in the arts. After graduating from Rhode Island College in 1959, she volunteered on the presidential campaign of Senator John F. Kennedy and taught elementary school in Rhode Island before relocating to Washington, DC to work on the staffs of two Representatives from Rhode Island, Congressmen John Fogarty and Robert Tiernan. While in Congressman Fogarty's office, she helped contribute to legislation that led to the creation of the National Endowment for the Arts, NEA.

After leaving Capitol Hill, Ms. Murphy continued serving in the arts arena. She worked at both the NEA and the Public Broadcasting Service, and then joined the American Arts Alliance, where she served as executive director in the 1980s and early 1990s. As the leader of this major arts advocacy group, now known as the Performing Arts Alliance, Ms. Murphy defended arts programs from budget cuts and other attacks.

Ms. Murphy also served on the board of the Corcoran Gallery of Art and was a co-chair of the annual Washington Project for the Arts Gala. During the 2000s, she served as the director and co-chair of the nonprofit digital technologies research organization, Digital Promise.

I know how proud Congressman Tiernan remains of the important work that Anne did while working in his office and in her endeavors that followed in the arts community, and I want to share and echo his sentiments. We remember and thank Anne for her tireless efforts to support and protect federal investment in the arts. We are all beneficiaries of her advocacy.

ADDITIONAL STATEMENTS

TRIBUTE TO CHARLES E. WELCH

● Mr. CARPER. Mr. President, today I wish to pay tribute to Mr. Charles E. Welch, who I have had the privilege of knowing for more than three decades. Known to his many friends as Chuck, he is a World War II veteran, humanitarian, lawyer and leader in the business community in the State of Delaware.

Born in 1925, Chuck is a native of Columbus, OH. He graduated with a B.S. in Business Administration in 1949 from The Ohio State University, 19 years ahead of me, and went on to receive his Juris Doctor in 1951 from the same institution. He served in the United States Army from 1943 to 1946 as a rifle platoon leader and later served as a company commander in the Judge Advocate General Corps from 1952 to 1955. During this time, he was also employed by the Ohio Tax Department as Chief Counsel from 1951 to 1958.

Chuck later moved to Delaware to work for the DuPont Company. There, he rose through the ranks and held the position of General Counsel until 1979 when he was appointed by DuPont CEO Irving S. Shapiro to the newly created position of Vice President for External Affairs. After a distinguished 26-year career with DuPont, Chuck retired from the company. He did not retire from an active life as a husband, father, grandfather and community leader. At an age when a lot of people are ready to slow down, Chuck picked up the pace.

Chuck's commitment to the community and State was demonstrated most clearly through his passion for education and helping the disabled. Chuck and his late wife Charma understood the struggles of special needs children and were the driving forces behind the development of The Mary Campbell Center, a remarkable facility for individuals with physical and cognitive disabilities. Chuck and Charma, who themselves were parents of a special needs child, had the shared vision to develop a safe, loving place for children and young adults, and since its opening in 1976, The Mary Campbell Center has touched the lives of literally thousands of people.

Chuck and Charma were the parents of six children: Ed, Patricia, John, Mary Beth, and the late Jeff and Charmie, the inspiration for The Mary Campbell Center. Chuck is now married to Barbara G. Welch.

In addition to his work with The Mary Campbell Center, Chuck was a member of the Mt. Pleasant Board of Education from 1967–1973, Chair of the Vocational Education Task Force in 1986, Chair of the Delaware Compensation Review Commission, Member of the Judicial Nominating Commission, Chair of the Committee to Reorganize Farmers Bank, Head of the Commission to study New Castle County Government, Director of the Wilmington Medical Center, Past President of the Delaware Foundation for Retarded Children and of United Cerebral Palsy, and was appointed by the Governor as President of the State Board of Education in 1986 where he served for 3 years. He was also a member of the committee for the Delaware Justice Center, President of the Rockledge Community Association and Chairman of the Advisory Board of The Mary Campbell Center where he continues to serve to this day.

Over the years, Chuck's guidance to both Democratic and Republican party leaders has proven pivotal to Delaware's success. He served as co-chair of Governor Mike Castle's transition team and a member of my transition team when I was elected Governor. For both Mike and me, Chuck has been an invaluable adviser and a wonderful friend.

Chuck's lifetime of serving others has attracted many prestigious awards and distinctions including The Marvel Cup from the Delaware State Chamber of Commerce, The J. Thompson Brown Award for Family Service, The Good Government Award from the Civic League for New Castle County, the Heart Association's Gilliam Award, an award from the National Conference of Christians and Jews and the First State Distinguished Service Award from the Delaware State Bar Association.

I am proud to congratulate my longtime friend on a lifetime of achievement. He is a role model for us all. The people of Delaware, and especially the many children and adults who have benefitted from his good work, are certainly fortunate to count Chuck as a fellow Delawarean. The First State is a far better place in which to live and work because of his stewardship and his leadership.●

CONGRATULATING STEVE McGOWAN

● Mr. MANCHIN. Mr. President, today I wish to congratulate my friend Steve McGowan for receiving this year's Silver Buffalo Award from the Boy Scouts of America. This is the highest commendation Scouting extends to individuals for their distinguished service to the organization, and I am so proud that the Boy Scouts have honored Steve for his extraordinary efforts on their behalf.

Steve McGowan is a very successful lawyer in Charleston, WV, with the law firm of Steptoe & Johnson. And even though his law practice is demanding, Steve has devoted countless hours to the Boy Scouts of America as a volunteer. This should come as no surprise to anyone who knows Steve. He was, after all, an Eagle Scout long before he ever was a lawyer.

The Boy Scouts of America inaugurated the Silver Buffalo Award in 1926, and in its 87-year history only 732 awards have been presented. This year, Steve is one of 12 Americans chosen to receive the award—and the first ever from West Virginia to be so honored. And in receiving the Silver Buffalo Award, Steve now holds all three of the Boy Scouts highest commendations for

adult Scout leaders and volunteers, having already been awarded the Silver Beaver and Silver Antelope Awards.

Steve's background in Scouting was one of the reasons I reached out to him in 2007 when the Boy Scouts decided to move their National Jamboree from a Virginia military base to a permanent location. As Governor, I assembled a team of government officials and private volunteers to identify the best site in West Virginia and market it to the Boy Scouts. I called the group the West Virginia Project Arrow Task Force, and it was headed by Steve McGowan.

The competition with other States was tough. Proposals were submitted for 82 sites in 28 States. But with Steve as its chief, the West Virginia Project Arrow Task Force hit the bull's eye. The Boy Scouts chose a home in West Virginia—a 10,600-acre site in the New River Gorge, with easy access to whitewater rafting, hiking, bicycling and rock climbing.

And this July, this permanent new home for the National Jamboree, the Summit Bechtel National Family Scout Reserve, will welcome more than 40,000 Boy Scouts and their leaders from all across the country to their 10-day long gathering of Scouts. This is going to be a wonderful experience for the Scouts. But it's also going to be an unprecedented opportunity for the entire world to see West Virginia hospitality at its best.

Steve McGowan helped to make all of this happen. And on Friday, when he accepts his Silver Buffalo Award at the Boy Scouts of America National Annual Meeting in Dallas, I hope he will take a well-deserved bow for all his contributions to Scouting. The Boy Scouts oath begins with a promise to do one's best and to do one's duty to God and country, and that is a promise Steve McGowan has kept every day.

Again, I extend my sincerest congratulations to him on being honored with the Silver Buffalo Award, and I thank him for all he has done for the Boy Scouts of America, for God and country and for the great State of West Virginia.●

TRIBUTE TO COLONEL KEITH KLEMMER

● Mr. PRYOR. Mr. President, today I wish to recognize and congratulate Arkansas's native son, Col. Keith Klemmer, for attaining to the rank of Brigadier General. On June 1 of this year, Col. Klemmer will receive this well-deserved promotion to the rank of Brigadier General at a ceremony in Arkansas.

Colonel Klemmer has served in a variety of positions in the 39th Infantry Brigade, 142nd Fires Brigade, and 87th Troop Command including Battery Commander, Battalion S3, Battalion XO, Battalion Commander, Brigade FSO, Brigade XO, and Brigade Commander. He is a veteran of both Operation Desert Storm and Operation Iraqi Freedom. Colonel Klemmer entered Title 32 Active Guard/Reserve service as a full-time soldier in March 1994. His full-time assignments have included Battalion Training Officer, Battalion and Brigade Administrative Officer, Recruiting and Retention Executive Officer, Recruiting and Retention Manager, Deputy Property and Fiscal Officer for Arkansas, State Training Officer, and Chief of Staff for the Arkansas Army National Guard.

Since October of 2011, Colonel Klemmer has served as the Chief of Staff for the Arkansas Joint Force Headquarters, where he is responsible for synchronizing efforts of unit readiness, force structure, and the sustainment of the National Guard for mobilization and domestic missions, a position which he has commanded with distinction.

Colonel Klemmer is a graduate of Arkansas State University and received a master's degree from the United States Army War College in 2007. He has received numerous awards and decorations for his service to our country, which include two Bronze Star Medals, the Meritorious Service Medal, the Army Commendation Medal with four Oak Leaf Clusters, the Army Achievement Medal with two Oak Leaf Clusters, the Arkansas Commendation Medal, and the Ancient Order of Saint Barbara. His career has been so impressive that he was inducted into the Arkansas Recruiting and Retention Hall of Fame in 2003.

In addition to his excellent military career, Colonel Klemmer is also an assistant scoutmaster for the Boy Scouts, serves as a deacon at his church in Russellville, AK, and is often a featured speaker for numerous local Memorial Day and Veteran's Day events. He and his wife, Sandra, have raised two wonderful children, Rachel and Gunner. Rachel graduated Summa Cum Laude from Harding University in 2010 and served as an intern in my Washington, D.C. office, while Gunner is currently a Trustee Scholar at Harding University.

Colonel Klemmer is a valued servant to the people of Arkansas and the United States of America. Our State and Nation have been fortunate to have Colonel Klemmer's 30 years of service, and I can only hope he can serve another 30 years. I thank him again for his dedication and commitment to keeping our Nation and State safe.●

TRIBUTE TO NORM BROWNSTEIN

● Mr. UDALL of Colorado. Mr. President, today, I wish to speak about a very special Coloradan on the occasion of his 70th birthday—Mr. Norm Brownstein. I am joined by two of my esteemed colleagues, who associate themselves with these remarks today: Majority Leader HARRY REID and my fellow Colorado senator MICHAEL BENNET.

Norm Brownstein is someone who many Americans may not know, but he is someone who has had an indelible effect on our Nation's public policy over the past several decades.

At root, Norm's story is an American success story. A Coloradan, a husband, a father of three, and a grandfather of four, Norm is someone who advocates passionately on behalf of the causes in which he believes. He is a man who rose from nothing to be involved at the apex of many of our country's most important political debates.

We are proud today to speak on the floor of the United States Senate on behalf of a man known by many of us as the ''101st Senator,'' to wish him a happy birthday, and, on behalf of so many of our colleagues, to let the American people know a little bit about this man.

The son of a Russian immigrant, and an orphan in his teenage years, Norm was not afforded the opportunities granted to many others who find success. And yet, despite his hardships, Norm excelled at academics, and, while working part time at a bicycle shop, became the first in his family to graduate from college. After getting his degree at the University of Colorado in Boulder, he went on to get a law degree there.

Norm may have done well in school, but in the late 1960s the Nation's top firms were not as hospitable as they should have been to talented Jewish lawyers. But that did not stop him. Norm and his childhood friend Steve Farber decided to open up their own firm in 1968 and away they went. Today, that firm—Brownstein Hyatt Farber Schreck—has 240 lawyers and consultants and 10 offices.

At first, Norm was not involved in politics—instead focusing on building his firm through real estate and other traditional legal work. But as Norm's legal practice grew, so too did his community involvement, as well as his interest in policy and politics.

Norm's firm already was involved very much in Denver and Colorado from a civic standpoint as well as with Colorado's political leaders. But Norm decided to take it to the next level and work with as many political leaders in the country as he could, both Democrats and Republicans. But, unlike so many who develop political relationships to pursue a narrow personal agenda, Norm pursued these political relationships based on his love of Israel and his desire to promote America's relationship with our most important ally in the Middle East. He joined the board of AIPAC, the American/Israel Public Affairs Committee, and if a Member of Congress supported Israel, Norm worked with that Member, to help them help the United States and Israel. This went on for decades. After a while, Norm knew so many Senators so well, he was presented in 2003 with a photograph of this Chamber, with the signature of every senator in the body at that time, to go with a plaque previously signed by several of our colleagues with the title ''our 101st Senator''.

Over the years, folks would ask for Norm's help in Washington, DC, and eventually he decided to open an office in Washington in the late-1990s. Like his challenging childhood, and his rough introduction to the legal community, Norm faced numerous obstacles in opening a DC office operating out of Denver. But as with everything else he set his mind to, this effort also thrived. Today, Brownstein's DC office has risen from a meager shop of two people in 1997 to being at the top of its field.

In a tribute to Norm's many decades of work and successes, the Smithsonian Institution recently honored him in a permanent exhibit displaying 89 Americans who have had a profound impact on America's politics and policy. His colleagues in this exhibit include a who's who of major American political figures and business leaders including: our former Senate Majority Leader George Mitchell, the current House Majority Leader ERIC CANTOR, our current U.S. Secretary of Health and Human Services Secretary Kathleen Sebelius, the business icon and entrepreneur Steve Case, and the list goes on. It is not easy to be mentioned on a list of the most influential people in our Nation's political discourse when you are not in government. So it makes us proud that such a list would include a homegrown lawyer from Denver.

And through all of his policy and political work, Norm has always remained true to his core—helping Israel and helping the people of Colorado. For example, in our home State, Norm has worked with the U.S. Congress to, among other things: help the University of Colorado build its Health Sciences Center as well as obtain federal funding to research Down Syndrome; help the City of Denver obtain federal funding to build the Denver International Airport; and help National Jewish Health obtain federal funding for life saving respiratory projects.

This next example is instructive of where Norm's heart is—finding opportunities that intersect with good business, good public policy, and good benefits to everyday Americans. A number of years ago, some of our colleagues were talking about changing the laws involving foundations, because they thought there were a lot of abuses there. These were well-intentioned changes, but they would have prevented a particular philanthropist in Colorado from providing full-ride scholarship programs to students who could not otherwise afford to go to college in the State. Norm worked tirelessly on this issue. He educated numerous Members and staffs about the anomalous effect the pending proposals would have. His efforts led to a restructuring of the proposed law that allowed the bank that this philanthropist owned to stay private, and more importantly, stay involved. This bank is now the largest bank in Colorado, and it houses one of the largest scholarship programs in the United States—and literally thousands of students will get to go to college because of Norm Brownstein's work.

Norm's incredible life story is one that could and should be instructive to us in these partisan times. His talent and work ethic are enormous. His love of the United States and Israel is limitless. And his affection for so many of us here in Congress is 100 percent genuine. And while his passion for politics and public policy is boundless, Norm does not care if you are a Democrat or a Republican. Instead, he just cares about you the person. Partisanship is a dirty word to Norm. We should all take a page from his playbook.

There are many of us here in the Congress who know Norm Brownstein as a friend and we are truly blessed. We hope we have helped you get to know him a little bit better too. Happy birthday to a great Coloradan—and a truly great American.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. William, 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.)

MESSAGE FROM THE HOUSE

At 1:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3. An act to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes.

H.R. 271. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

H.R. 1949. An act to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level.

The message also announced that pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the Migratory Bird Conservation Commission: Mr. WITTMAN of Virginia and Mr. DINGELL of Michigan.

The message further announced that pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), and the order of the House of January 3, 2013, the Speaker appoints the following individuals on the part of the House of Representatives to the Military Compensation and Retirement Modernization Commission: Mr. Dov S. Zakheim of Silver Spring, Maryland, and Mr. Michael R. Higgins of Washington, DC.

The message also announced that pursuant to section 3 of the Protect Our Kids Act of 2012 (Public Law 112–275) the Minority Leader appoints the following individual on the part of the House of Representatives to the Commission to Eliminate Child Abuse and Neglect Fatalities: Robert E. ''Bud'' Cramer of Huntsville, Alabama.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1949. An act to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level; to the Committee on Health, Education, Labor, and Pensions.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3. An act to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes.

H.R. 271. An act to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, 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–1628. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Immokalee, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–1051)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1629. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; West Palm Beach, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0922)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1630. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Griffin, GA'' ((RIN2120–AA66) (Docket No. FAA–2012–1219)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1631. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of VOR Federal Airway V–595, OR'' ((RIN2120–AA66) (Docket No. FAA–2012–1004)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1632. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Areas R–6703A, B, C, D; and Establishment of Restricted Areas R–6703E, F, G, H, I, and H, J; WA'' ((RIN2120–AA66) (Docket No. FAA–2013–0371)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1633. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace, Omak, WA'' ((RIN2120–AA66) (Docket No. FAA–2012–1247)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1634. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Lakeview, OR'' ((RIN2120–AA66) (Docket No. FAA–2012–1254)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1635. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Astoria, OR'' ((RIN2120–AA66) (Docket No. FAA–2012–0853)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1636. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Portland-Hillsboro, OR'' ((RIN2120–AA66) (Docket No. FAA–2012–1142)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1637. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; St. Helena, CA'' ((RIN2120–AA66) (Docket No. FAA–2013–0283)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1638. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Caldwell, NJ'' ((RIN2120–AA66) (Docket No. FAA–2012–0609)) received in the Office of the President of the Senate on May 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1639. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Reading, PA'' ((RIN2120–AA66) (Docket No. FAA–2012–1270)) received in the Office of the President of the Senate on May 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1640. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Area Navigation (RNAV) Route T–266; AK'' ((RIN2120–AA66) (Docket No. FAA–2012–1295)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1641. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Area R–6601; Fort A.P. Hill, VA'' ((RIN2120–AA66) (Docket No. FAA–2012–0561)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1642. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 2'' (RIN0648–XC500) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1643. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XC593) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1644. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (RIN0648–XC606) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1645. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XC605) received in the Office of the President of the Senate on May 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1646. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Approval of Emergency Action to Establish Recreational Closure Authority Specific to Federal Waters Off Individual States for the Red Snapper Component of the Reef Fish Fishery'' (RIN0648–BD00) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1647. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC633) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1648. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; American Samoa Pelagic Longline Limited Entry Program'' (RIN0648–XC629) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1649. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC638) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1650. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic'' (RIN0648–BB70) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1651. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies and Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields'' (FCC 13–39) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1652. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 1, 2, 15, 74, 78, 87, 90 and 97 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunications Conference (WRC, Geneva 2007), Other Allocation Issues and Related Rule Updates'' (FCC 12–140) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1653. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund; Developing a Unified Intercarrier Compensation Regime'' ((RIN3060–AG49) (DA 13–564)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1654. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 90 of the Commission's Rules'' (FCC 13–52) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1655. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Standards of Identity for Pisco and Cognac'' (RIN1513–AB91) received in the Office of the President of the Senate on May 22, 2013; to the Committee on the Judiciary.

EC–1656. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–065, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–1657. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Announcement of Effective Date for Regulations Implementing the Defense Trade Cooperation Treaty between the United States and Australia'' (RIN1400–AD38) received in the Office of the President of the Senate on May 23, 2013; to the Committee on Foreign Relations.

EC–1658. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–071); to the Committee on Foreign Relations.

EC–1659. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–062); to the Committee on Foreign Relations.

EC–1660. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–059); to the Committee on Foreign Relations.

EC–1661. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–035); to the Committee on Foreign Relations.

EC–1662. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–039); to the Committee on Foreign Relations.

EC–1663. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, the Department of Defense 2013 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

EC–1664. A communication from the Principal Deputy Under Secretary of Defense (Policy), transmitting, pursuant to law, a report entitled ''Combating Terrorism Activities Fiscal Year 2014 Budget Estimates''; to the Committee on Armed Services.

EC–1665. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1666. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1667. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1668. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 99th Annual Report of the Federal Reserve Board covering operations for calendar year 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–1669. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Physical Protection of Irradiated Reactor Fuel in Transit'' (RIN3150–AI64) received in the Office of the President of the Senate on May 23, 2013; to the Committee on Environment and Public Works.

EC–1670. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the Washington State Implementation Plan; Tacoma-Pierce County Nonattainment Area'' (FRL No. 9817–1) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Environment and Public Works.

EC–1671. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Status and Designation of Critical Habitat for Eriogonum codium (Umtanum Desert Buckwheat) and Physaria douglasii subsp. tuplashensis (White Bluffs Bladderpod)'' (RIN1018–AX72; RIN1018–AZ54) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1672. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Eriogonum codium (Umtanum Desert Buckwheat) and Physaria douglasii subsp. tuplashensis (White Bluffs Bladderpod)'' (RIN1018–AZ54) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1673. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Status for Eriogonum codium (Umtanum Desert Buckwheat) and Physaria douglasii subsp. tuplashensis (White Bluffs Bladderpod)'' (RIN1018–AX72) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1674. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for 38 Species on Molokai, Lanai, and Maui'' (RIN1018–AX14) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1675. A communication from the Director, Office of Regulations and Report Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Rules on Determining Hearing Appearances'' (RIN0960–AH40) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Finance.

EC–1676. A communication from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Technical Assistance to Improve State Data Capacity—National Technical Assistance Center to Improve State Capacity to Accurately Collect and Report IDEA Data'' (CFDA No. 84.373Y) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1677. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013 and Management Report of final actions taken; to the Committee on Homeland Security and Governmental Affairs.

EC–1678. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayments for Medications in 2013'' (RIN2900–AO58) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Veterans' Affairs.

EC–1679. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1042)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1680. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1094)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1681. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0933)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1682. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0809)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1683. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0994)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1684. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0413)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1685. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0932)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1686. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0938)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1687. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0803)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1688. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0935)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1689. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0333)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1690. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0937)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1691. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1073)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1692. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0936)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1693. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0288)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1694. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1297)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1695. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0307)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1696. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1087)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1697. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1014)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1698. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0630)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1699. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2009–0951)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1700. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0631)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1701. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0111)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1702. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1105)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1703. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0810)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1704. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1036)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1705. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–18033)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1706. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2004–180633)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1707. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0880)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1708. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1100)) received during adjournment of the Senate in the Office of the President of the Senate on April 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1709. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada (Bell) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1127)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1710. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0196)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1711. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Grob-Werke Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0013)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1712. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0306)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1713. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1131)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1714. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines AG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1217)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1715. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1148) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1716. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BRP–Powertrain GmbH and Co KG Rotax Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0263)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1717. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Kelowna Flightcraft R and D Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0330) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1718. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0348)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1719. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0773)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1720. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2010–1303)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1721. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0817)) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1722. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XC542) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1723. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions Nos. 1 and 2'' (RIN0648–XC631) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1724. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BD14) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1725. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC612) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1726. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish'' (RIN0648–XC626) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1727. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Exempted Fishery for the Spiny Dogfish Fishery in the Waters East and West of Cape Cod, MA'' (RIN0648–BC50) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1728. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Final 2013–2015 Spiny Dogfish Fishery Specifications'' (RIN0648–BC85) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1729. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plan; Correcting Amendment'' (RIN0648–BC75) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1730. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XC651) received in the Office of the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1731. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule To Extend the Increase of the Commercial Annual Catch Limit for South Atlantic Yellowtail Snapper'' (RIN0648–BC59) received in the Office of

the President of the Senate on May 22, 2013; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Rachel Elise Barkow, of New York, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2017.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2015.

William H. Pryor, Jr., of Alabama, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2017.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS (for himself, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Mrs. BOXER, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. JOHNSON of South Dakota, Mr. CARDIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. CASEY, and Mr. NELSON):

S. 1028. A bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Health, Education, Labor , and Pensions.

By Mr. PORTMAN (for himself, Mr. PRYOR, Ms. COLLINS, Mr. NELSON, Mr. CORNYN, Mr. MANCHIN, Ms. AYOTTE, Mr. KING, and Mr. JOHANNS):

S. 1029. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Ms. COLLINS, Mr. MERKLEY, and Mr. KING):

S. 1030. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. RUBIO, Mr. BARRASSO, and Mr. INHOFE):

S. 1031. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Finance.

By Mrs. MCCASKILL (for herself, Ms. COLLINS, Mrs. SHAHEEN, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 1032. A bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HARKIN:

S. 1033. A bill to authorize a grant program to promote physical education, activity, and fitness and nutrition, and to ensure healthy students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself and Mr. INHOFE) (by request):

S. 1034. A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

By Mr. KING (for himself and Mr. RUBIO):

S. 1035. A bill to require an independent alternative analysis of the consideration of the use of targeted lethal force against a particular, known United States person knowingly engaged in acts of international terrorism against the United States and for other purposes; to the Select Committee on Intelligence.

By Mr. REID (for Mr. LAUTENBERG):

S. 1036. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 1037. A bill to ensure adequate protection of the rights under the Fourth Amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. COONS, Mr. HARKIN, Mr. MENENDEZ, Ms. STABENOW, Mr. LEVIN, Ms. MIKULSKI, Ms. WARREN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LAUTENBERG, and Ms. HIRONO):

S. 1038. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

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

S. 1039. A bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PORTMAN (for himself, Mr. ISAKSON, Mr. COBURN, and Mr. BROWN):

S. 1040. A bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 1041. A bill to amend title 10, United States Code, to afford crime victims' rights to victims of offenses under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mrs. SHAHEEN (for herself, Ms. KLOBUCHAR, and Mr. MURPHY):

S. 1042. A bill to authorize the Secretary of Veterans Affairs to provide support to university law school programs that are designed to provide legal assistance to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BENNET:

S. 1043. A bill to promote innovative practices for the education of English learners and to help States and local educational agencies with English learner populations build capacity to ensure that English learners receive high-quality instruction that enables them to become proficient in English, access the academic content knowledge needed to meet State challenging academic content standards, and be prepared for postsecondary education and careers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN:

S. 1044. A bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on D–Day, June 6, 1944; to the Committee on Energy and Natural Resources.

By Mr. COBURN (for himself and Mr. PRYOR):

S. 1045. A bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself, Mr. BARRASSO, Mr. TESTER, and Ms. HIRONO):

S. 1046. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; to the Committee on Indian Affairs.

By Mr. GRASSLEY (for himself, Ms. LANDRIEU, and Mr. COCHRAN):

S. 1047. A bill to provide for the issuance and sale of a semipostal by the United States Postal Service to support effective programs targeted at improving permanency outcomes for youth in foster care; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ISAKSON:

S. 1048. A bill to revoke the charters for the Federal National Mortgage Corporation and the Federal Home Loan Mortgage Corporation upon resolution of their obligations, to create a new Mortgage Finance Agency for the securitization of single family and multifamily mortgages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER:

S. 1049. A bill to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal lands under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mrs. MCCASKILL, Mr. BLUNT, Mr. BLUMENTHAL, Ms. MURKOWSKI, Mr. BEGICH, Mr. COCHRAN, Mr. JOHANNS, Ms. AYOTTE, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1050. A bill to amend title 10, United States Code, to ensure the issuance of regulations applicable to the Coast Guard regarding consideration of a request for a permanent change of station or unit transfer submitted by a member of the Coast Guard who is the victim of a sexual assault; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself and Mr. KING):

S. 1051. A bill to amend title 37, United States Code, to ensure that footwear furnished or obtained by allowance for enlisted members of the Armed Forces upon their initial entry into the Armed Forces complies with domestic source requirements; to the Committee on Armed Services.

By Mr. BENNET (for himself, Mr. ALEXANDER, Ms. MIKULSKI, Mr. KIRK, Ms. KLOBUCHAR, and Ms. LANDRIEU):

S. 1052. A bill to create and expand innovative teacher and principal preparation programs known as teacher and principal preparation academies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. ROBERTS):

S. 1053. A bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs; to the Committee on Finance.

By Mr. REID:

S. 1054. A bill to establish Gold Butte National Conservation Area in Clark County, Nevada in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. BROWN):

S. 1055. A bill to authorize the Secretary of Education to establish the National Program for Arts and Technology; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. LANDRIEU, and Mr. BLUNT):

S. 1056. A bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit; to the Committee on Finance.

By Mr. UDALL of Colorado:

S. 1057. A bill to prohibit the use of unmanned aircraft systems by private persons to conduct surveillance of other private persons, and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER (for himself and Mrs. MURRAY):

S. 1058. A bill to amend title 38, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KIRK:

S. 1059. A bill to amend the Immigration and Nationality Act to deem any person who has received an award from the Armed Forces of the United States for engagement in active combat or active participation in combat to have satisfied certain requirements for naturalization; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. ENZI):

S. 1060. A bill to amend the Public Health Service Act to facilitate emergency medical services personnel training and certification curriculums for military veterans; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 1061. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1062. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1063. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN:

S. 1064. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program; to the Committee on Finance.

By Mr. FRANKEN (for himself and Mrs. MURRAY):

S. 1065. A bill to amend the Child Care and Development Block Grant Act of 1990 to improve the quality of infant and toddler care; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1066. A bill to allow certain student loan borrowers to refinance Federal student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Mr. REID, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. BEGICH, Mr. COONS, and Mr. FRANKEN):

S. 1067. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself, Mr. WICKER, and Mr. SCHATZ):

S. 1068. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Ms. WARREN, Mrs. MURRAY, Mr. WYDEN, Mr. FRANKEN, and Mr. LAUTENBERG):

S. 1069. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. BROWN, Mr. UDALL of Colorado, and Mrs. BOXER):

S. 1070. A bill to make it unlawful to alter or remove the unique equipment identification number of a mobile device; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 1071. A bill to authorize the Secretary of the Interior to make improvements to support facilities for National Historic Sites operated by the National Park Service, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Ms. MURKOWSKI, Mr. MORAN, Mr. ROBERTS, Mr. JOHANNS, Mr. BEGICH, Mr. RISCH, Mr. UDALL of New Mexico, and Mr. TESTER):

S. 1072. A bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself, Mr. FRANKEN, and Mr. HOEVEN):

S. 1073. A bill to amend the Energy Independence and Security Act of 2007 to improve the coordination of refinery outages, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1074. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Easter Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 1075. A bill to extend the phase-in of actuarial rates for flood insurance for certain properties under the Biggert-Waters Flood Insurance Reform Act of 2012; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HAGAN (for herself and Mrs. GILLIBRAND):

S. 1076. A bill to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a disabled dependent child of a participant in the Survivor Benefit Plan; to the Committee on Armed Services.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. CARPER, Mr. WARNER, Mr. COONS, and Mr. KAINE):

S. 1077. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the reauthorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Ms. HIRONO):

S. 1078. A bill to direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime; to the Committee on Armed Services.

By Mr. VITTER:

S. 1079. A bill to require the Director of the Bureau of Safety and Environmental Enforcement to promote the artificial reefs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. MURPHY):

S. 1080. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Environment and Public Works.

By Mr. WARNER (for himself and Mr. KAINE):

S. 1081. A bill to amend title 10, United States Code, to expand and enhance authorities on protected communications of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. FRANKEN:

S. 1082. A bill to promote Advanced Placement and International Baccalaureate programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 1083. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY:

S. Res. 153. A resolution recognizing the 200th anniversary of the Battle of Lake Erie; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Mr. BLUMENTHAL):

S. Res. 154. A resolution supporting political reform in Iran and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY:

S. Res. 155. A resolution recognizing the City of Erie, Pennsylvania, for its critical role in the development and construction of the fleet of Commodore Oliver Hazard Perry during the War of 1812; to the Committee on the Judiciary.

By Mr. WARNER:

S. Res. 156. A resolution expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. JOHNSON of South Dakota, Mrs. FISCHER, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Mrs. BOXER, Mr. PRYOR, Mr. GRASSLEY, Mr. BOOZMAN, Mr. ENZI, Ms. BALDWIN, and Mr. THUNE):

S. Res. 157. A resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 158. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 17. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor 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. 346

At the request of Mr. TESTER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 381

At the request of Mr. BROWN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 420

At the request of Mr. ENZI, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 596

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program.

S. 604

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 604, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 674

At the request of Mr. HELLER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 699

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 699, a bill to reallocate Federal judgeships for the courts of appeals, and for other purposes.

S. 700

At the request of Mr. KAINE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 734

At the request of Mr. NELSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 777, a bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis

of sexual orientation or gender identity.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 825

At the request of Mr. SANDERS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 825, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 831

At the request of Mr. COATS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 831, a bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2017, under the Surface Mining Control and Reclamation Act of 1977.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Colorado (Mr. UDALL), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 897

At the request of Ms. WARREN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 941

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 941, a bill to amend title 18, United States Code, to prevent discriminatory misconduct against taxpayers by Federal officers and employees, and for other purposes.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 950

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 950, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 953

At the request of Mr. REED, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 964

At the request of Mrs. MCCASKILL, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 964, a bill to require a comprehensive review of the adequacy of the training, qualifications, and experience of the Department of Defense personnel responsible for sexual assault prevention and response for the Armed Forces, and for other purposes.

S. 975

At the request of Ms. KLOBUCHAR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 975, a bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009.

S. 992

At the request of Mrs. SHAHEEN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 992, a bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes.

S. 1006

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1006, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 1009

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1009, supra.

S. 1015

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1015, a bill to amend the Internal Revenue Code of 1986 to allow credits for the purchase of franchises by veterans.

S. 1016

At the request of Mr. PAUL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1016, a bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 134

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate that all incidents of abusive, unsanitary, or illegal health care practices should be condemned and prevented and the perpetrators should be prosecuted to the full extent of the law.

AMENDMENT NO. 953

At the request of Mr. DURBIN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Arizona (Mr. MCCAIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 953 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 965

At the request of Mr. SANDERS, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 965 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 978

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 978 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1026

At the request of Mrs. BOXER, the name of the Senator from Colorado

(Mr. UDALL) was added as a cosponsor of amendment No. 1026 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1027

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1027 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1057

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 1057 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1075

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of amendment No. 1075 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1077

At the request of Mr. HEINRICH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1077 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1079

At the request of Mr. COONS, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 1079 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1088

At the request of Mr. BROWN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Iowa (Mr. HARKIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 1088 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1092

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 1092 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1104

At the request of Mr. CHAMBLISS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 1104 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1106

At the request of Mr. CHAMBLISS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 1106 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1115

At the request of Mr. BEGICH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of amendment No. 1115 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Ms. COLLINS, Mr. MERKLEY, and Mr. KING):

S. 1030. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am being joined by my colleagues Senators COLLINS, MERKLEY, and KING on the introduction of the Storage Technology for Renewable and Green Energy Act of 2013 or the STORAGE 2013 Act. The purpose of the bill is to promote the deployment of energy storage technologies to make the electric grid operate more efficiently and help manage intermittent renewable energy generation from wind, solar, and other sources that vary with the time of day and the weather.

Traditionally, peak demand has been met by building more generation and transmission facilities, many of which sit idle much of the time. The Electric Power Research Institute's White Paper on storage technology observed that 25 percent of the equipment and capacity of the U.S. electric distribution system and 10 percent of the generation and transmission system is needed less than 400 hours a year. Peak generation is also often met with the least efficient, most costly power plants. Energy storage systems offer an alternative to simply building more generation and transmission to meet peak demand because they allow the current system to meet peak demands by storing less expensive off-peak power, from the most cost-efficient plants, for use during peak demand.

The growth of renewable energy from wind and solar and other intermittent renewable sources, like wave and tidal energy, raises yet another challenge for the electric grid that storage can help address. These renewable sources deliver power at times of the day or night when they might not be needed or fluctuate with the weather. Energy storage technology allows these intermittent sources to store power as it is generated and allow it to be dispatched when it is most needed and in a predictable, steady of stream of electricity no longer at the vagaries of weather conditions. And equally important, it allows this intermittent generation to more closely match demand. Instead of trying to find a place to sell power at 3:00 am in the morning when demand is down, wind farms for example would be able to sell their power at 3:00 pm in the afternoon when demand is up.

The STORAGE 2013 Act is substantially similar to the STORAGE Act of 2011 I introduced last Congress. It offers investment tax credits for three categories of energy storage facilities that temporarily store energy for delivery or use at a later time. The bill is technology neutral and does not pick storage technology ''winners'' and ''losers'' either in terms of the storage technology that is used or in terms of the source of the energy that is stored. The electricity can come from a wind farm or it can come for a coal or nuclear plant. Pumped hydro, compressed air, batteries, flywheels, and thermal storage are all eligible technologies as are smart-grid enabled plug-in electric vehicles.

First, the STORAGE 2013 Act provides a 20 percent investment tax credit of up to $40 million per project for storage systems connected to the electric grid and distribution system. A total of $1.5 billion in these investment credits are available for these grid connected systems. Developers would have to apply to the Treasury Department and DOE for the credits, similar to the process used for the green energy manufacturing credits the ''48C'' program. This is a 20 percent credit so that means the actual cost of the project that would be eligible for the full credit would be $200 million.

The act also provides a 30 percent investment tax credit of up to $1 million per project to businesses for on-site storage, such as an ice-storage facility in on office building, where ice is made at night using low-cost, off-peak power and then used to help air-condition the building luring the day while reducing peak demand. This is a 30 percent credit so the cost of the actual projects that would get the full credit amount would be around $3.3 million.

One change from last year's version of the bill is that the minimum size for storage systems to be eligible for this credit is now 5 kWh, whereas it was 20 kWh before. 20 kWh is a reasonable size or industrial energy consumers and big-box stores, but a 5 kWh limit is a size that makes sense for small businesses. This change will allow small businesses to participate in pioneering storage on the grid, and will incentivize storage companies to create leasing models for residential users. Leasing models are proving very successful at increasing grid-connected residential solar, and this credit will open up a whole new market for storage to follow suit.

But if homeowners want to install storage on their own, they will be able to. The Act also provides for 30 percent tax credit for homeowners for on-site

storage projects to store off-peak electricity from solar panels or from the grid for later use during peak hours.

As the EPRI white paper noted ''(d)espite the large anticipated need for energy storage solutions within the electric enterprise, very few grid-integrated storage installations are in actual operation in the United States today.'' The purpose of the STORAGE 2013 Act is to help jump start the deployment of these storage solutions so that renewable energy technologies can increase their economic value to the electric grid while reducing their power integration costs as well as to improve the overall efficiency of the electrical system.

I urge my colleagues to take a closer look at what storage technologies can do to help reduce the cost of electricity and improve the performance of the electric grid and renewable energy technologies. If they do, I am confident my colleagues will join Senators COLLINS, MERKLEY, and KING in supporting this bipartisan 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. 1030

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 ''Storage Technology for Renewable and Green Energy Act of 2013'' or the ''STORAGE 2013 Act''.

SEC. 2. ENERGY INVESTMENT CREDIT FOR ENERGY STORAGE PROPERTY CONNECTED TO THE GRID.

(a) UP TO 20 PERCENT CREDIT ALLOWED.—Subparagraph (A) of section 48(a)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of subclause (IV) of clause (i),

(2) by striking ''clause (i)'' in clause (ii) and inserting ''clause (i) or (ii)'',

(3) by redesignating clause (ii) as clause (iii), and

(4) by inserting after clause (i) the following new clause:

''(ii) as provided in subsection (c)(5)(D), up to 20 percent in the case of qualified energy storage property, and''.

(b) QUALIFIED ENERGY STORAGE PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) QUALIFIED ENERGY STORAGE PROPERTY.—

''(A) IN GENERAL.—The term 'qualified energy storage property' means property—

''(i) which is directly connected to the electrical grid, and

''(ii) which is designed to receive electrical energy, to store such energy, and—

''(I) to convert such energy to electricity and deliver such electricity for sale, or

''(II) to use such energy to provide improved reliability or economic benefits to the grid.

Such term may include hydroelectric pumped storage and compressed air energy storage, regenerative fuel cells, batteries, superconducting magnetic energy storage, flywheels, thermal energy storage systems, and hydrogen storage, or combination thereof, or any other technologies as the Secretary, in consultation with the Secretary of Energy, shall determine.

''(B) MINIMUM CAPACITY.—The term 'qualified energy storage property' shall not include any property unless such property in aggregate has the ability to sustain a power rating of at least 1 megawatt for a minimum of 1 hour.

''(C) ELECTRICAL GRID.—The term 'electrical grid' means the system of generators, transmission lines, and distribution facilities which—

''(i) are under the jurisdiction of the Federal Energy Regulatory Commission or State public utility commissions, or

''(ii) are owned by—

''(I) the Federal government,

''(II) a State or any political subdivision of a State,

''(III) an electric cooperative that is eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), or

''(IV) any agency, authority, or instrumentality of any one or more of the entities described in subclause (I) or (II), or any corporation which is wholly owned, directly or indirectly, by any one or more of such entities.

''(D) ALLOCATION OF CREDITS.—

''(i) IN GENERAL.—In the case of qualified energy storage property placed in service during the taxable year, the credit otherwise determined under subsection (a) for such year with respect to such property shall not exceed the amount allocated to such project under clause (ii).

''(ii) NATIONAL LIMITATION AND ALLOCATION.—There is a qualified energy storage property investment credit limitation of $1,500,000,000. Such limitation shall be allocated by the Secretary among qualified energy storage property projects selected by the Secretary, in consultation with the Secretary of Energy, for taxable years beginning after the date of the enactment of the STORAGE 2013 Act, except that not more than $40,000,000 shall be allocated to any project for all such taxable years.

''(iii) SELECTION CRITERIA.—In making allocations under clause (ii), the Secretary, in consultation with the Secretary of Energy, shall select only those projects which have a reasonable expectation of commercial viability, select projects representing a variety of technologies, applications, and project sizes, and give priority to projects which—

''(I) provide the greatest increase in reliability or the greatest economic benefit,

''(II) enable the greatest improvement in integration of renewable resources into the grid, or

''(III) enable the greatest increase in efficiency in operation of the grid.

''(iv) DEADLINES.—

''(I) IN GENERAL.—If a project which receives an allocation under clause (ii) is not placed in service within 2 years after the date of such allocation, such allocation shall be invalid.

''(II) SPECIAL RULE FOR HYDROELECTRIC PUMPED STORAGE.—Notwithstanding subclause (I), in the case of a hydroelectric pumped storage project, if such project has not received such permits or licenses as are determined necessary by the Secretary, in consultation with the Secretary of Energy, within 3 years after the date of such allocation, begun construction within 5 years after the date of such allocation, and been placed in service within 8 years after the date of such allocation, such allocation shall be invalid.

''(III) SPECIAL RULE FOR COMPRESSED AIR ENERGY STORAGE.—Notwithstanding subclause (I), in the case of a compressed air energy storage project, if such project has not begun construction within 3 years after the date of the allocation and been placed in service within 5 years after the date of such allocation, such allocation shall be invalid.

''(IV) EXCEPTIONS.—The Secretary may extend the 2-year period in subclause (I) or the periods described in subclauses (II) and (III) on a project-by-project basis if the Secretary, in consultation with the Secretary of Energy, determines that there has been a good faith effort to begin construction or to place the project in service, whichever is applicable, and that any delay is caused by factors not in the taxpayer's control.

''(E) REVIEW AND REDISTRIBUTION.—

''(i) REVIEW.—Not later than 4 years after the date of the enactment of the STORAGE 2013 Act, the Secretary shall review the credits allocated under subparagraph (D) as of the date of such review.

''(ii) REDISTRIBUTION.—Upon the review described in clause (i), the Secretary may reallocate credits allocated under subparagraph (D) if the Secretary determines that—

''(I) there is an insufficient quantity of qualifying applications for certification pending at the time of the review, or

''(II) any allocation made under subparagraph (D)(ii) has been revoked pursuant to subparagraph (D)(iv) because the project subject to such allocation has been delayed.

''(F) DISCLOSURE OF ALLOCATIONS.—The Secretary shall, upon making an allocation under subparagraph (D)(ii), publicly disclose the identity of the applicant, the location of the project, and the amount of the credit with respect to such applicant.

''(G) TERMINATION.—No credit shall be allocated under subparagraph (D) for any period ending after December 31, 2020.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SEC. 3. ENERGY STORAGE PROPERTY CONNECTED TO THE GRID ELIGIBLE FOR NEW CLEAN RENEWABLE ENERGY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 54C(d) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) QUALIFIED RENEWABLE ENERGY FACILITY.—The term 'qualified renewable energy facility' means a facility which is—

''(A)(i) a qualified facility (as determined under section 45(d) without regard to paragraphs (8) and (10) thereof and to any placed in service date), or

''(ii) a qualified energy storage property (as defined in section 48(c)(5)), and

''(B) owned by a public power provider, a governmental body, or a cooperative electric company.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

SEC. 4. ENERGY INVESTMENT CREDIT FOR ONSITE ENERGY STORAGE.

(a) CREDIT ALLOWED.—Clause (i) of section 48(a)(2)(A) of the Internal Revenue Code of 1986, as amended by this Act, is amended—

(1) by striking ''and'' at the end of subclause (III),

(2) by inserting ''and'' at the end of subclause (IV), and

(3) by adding at the end the following new subclause:

''(V) qualified onsite energy storage property,''.

(b) QUALIFIED ONSITE ENERGY STORAGE PROPERTY.—Subsection (c) of section 48 of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new paragraph:

''(6) QUALIFIED ONSITE ENERGY STORAGE PROPERTY.—

''(A) IN GENERAL.—The term 'qualified onsite energy storage property' means property which—

''(i) provides supplemental energy to reduce peak energy requirements primarily on the same site where the property is located, or

''(ii) is designed and used primarily to receive and store, firm, or shape variable renewable or off-peak energy and to deliver such energy primarily for onsite consumption.

Such term may include thermal energy storage systems and property used to charge plug-in and hybrid electric vehicles if such property or vehicles are equipped with smart grid equipment or services which control time-of-day charging and discharging of such vehicles. Such term shall not include any property for which any other credit is allowed under this chapter.

''(B) MINIMUM CAPACITY.—The term 'qualified onsite energy storage property' shall not include any property unless such property in aggregate—

''(i) has the ability to store the energy equivalent of at least 5 kilowatt hours of energy, and

''(ii) has the ability to have an output of the energy equivalent of 1 kilowatts of electricity for a period of 5 hours.

''(C) LIMITATION.—In the case of qualified onsite energy storage property placed in service during the taxable year, the credit otherwise determined under subsection (a) for such year with respect to such property shall not exceed $1,000,000.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SEC. 5. CREDIT FOR RESIDENTIAL ENERGY STORAGE EQUIPMENT.

(a) CREDIT ALLOWED.—Subsection (a) of section 25D of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of paragraph (4),

(2) by striking the period at the end of paragraph (5) and inserting '', and'', and

(3) by adding at the end the following new paragraph:

''(6) 30 percent of the qualified residential energy storage equipment expenditures made by the taxpayer during such taxable year.''.

(b) QUALIFIED RESIDENTIAL ENERGY STORAGE EQUIPMENT EXPENDITURES.—Section 25D(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) QUALIFIED RESIDENTIAL ENERGY STORAGE EQUIPMENT EXPENDITURES.—For purposes of this section, the term 'qualified residential energy storage equipment expenditure' means an expenditure for property—

''(A) which is installed in or on a dwelling unit located in the United States and owned and used by the taxpayer as the taxpayer's principal residence (within the meaning of section 121), or on property owned by the taxpayer on which such a dwelling unit is located,

''(B) which—

''(i) provides supplemental energy to reduce peak energy requirements primarily on the same site where the property is located, or

''(ii) is designed and used primarily to receive and store, firm, or shape variable renewable or off-peak energy and to deliver such energy primarily for onsite consumption, and

''(C) which—

''(i) has the ability to store the energy equivalent of at least 2 kilowatt hours of energy, and

''(ii) has the ability to have an output of the energy equivalent of 500 watts of electricity for a period of 4 hours.

Such term may include thermal energy storage systems and property used to charge plug-in and hybrid electric vehicles if such property or vehicles are equipped with smart grid equipment or services which control time-of-day charging and discharging of such vehicles. Such term shall not include any property for which any other credit is allowed under this chapter.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. LEVIN (for himself and Mr. INHOFE) (by request):

S. 1034. A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator INHOFE and I are introducing, by request, the administration's proposed National Defense Authorization Act for fiscal year 2014. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the administration's requested legislation our most careful review and thoughtful consideration.

By Mr. CARDIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. COONS, Mr. HARKIN, Mr. MENENDEZ, Ms. STABENOW, Mr. LEVIN, Ms. MIKULSKI, Ms. WARREN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. LAUTENBERG, and Ms. HIRONO):

S. 1038. A bill to eliminate racial profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

Mr. CARDIN. Mr. President, today I rise to introduce legislation in the Senate that would prohibit the use of racial profiling by Federal, State, or local law enforcement agencies. This legislation is entitled the End Racial Profiling Act, ERPA, 2013. I thank my colleagues who have joined me as original cosponsors of this legislation, including Senators DURBIN, BLUMENTHAL, COONS, HARKIN, MENENDEZ, STABENOW, LEVIN, MIKULSKI, WARREN, BOXER, GILLIBRAND, LAUTENBERG, and HIRONO.

Last year, the Nation's attention was riveted to the tragic, avoidable death of Trayvon Martin in Florida in February 2012. As we all know from the news, an unarmed Martin, 17, was shot in Sanford, FL, on his way home from a convenience store, while carrying a can of iced tea and a bag of skittles.

After the tragedy, I met with faith and civil rights groups at the Center for Urban Families in Baltimore to discuss the issue of racial profiling. Joining me were representatives from various faith and civil rights groups in Baltimore, as well as graduates from the center's program. I heard there first-hand accounts of typical American families that were victims of racial profiling. One young woman recounted going to a basketball game with her father, only to have her dad detained by police for no apparent reason other than the color of his skin.

That is why I was pleased that the Justice Department, under the supervision of Attorney General Eric Holder, announced a Civil Rights Division and FBI investigation into the shooting death of Trayvon Martin. I join all Americans in wanting a full and complete investigation into the shooting death of Trayvon Martin to ensure that justice is served. There are many questions that we need answered.

Was Trayvon targeted because he was black? The State of Florida has already charged the shooter with second-degree murder, and the defendant will be given a jury trial of his peers, which begins next month in State court.

Trayvon's tragic death leads to a discussion of the broader issue of racial profiling. The Senate Judiciary Committee held a hearing entitled ''Ending Racial Profiling in America'' in April 2012, which was chaired by Senator DURBIN.

At the hearing I was struck by the testimony of Ronald L. Davis, the Chief of Police of the City of East Palo Alto, CA. I want to quote part of Chief Davis' testimony, in which he stated that:

[T]here exists no national, standardized definition for racial profiling that prohibits all uses of race, national origin, and religion, except when describing a person. Consequently, many state and local policies define racial profiling as using race as the 'sole' basis for a stop or any police action. This definition is misleading in that it suggests using race as a factor for anything other than a description is justified, which it is not. Simply put, race is a descriptor not a predictor. To use race along with other salient descriptors when describing someone who just committed a crime is appropriate. However, when we deem a person to be suspicious or attach criminality to a person because of the color of his or her skin, the neighborhood they are walking in, or the clothing they are wearing, we are attempting to predict criminality. The problem with such predictions is that we are seldom right in our results and always wrong in our approach.

After the hearing I was joined at a press conference by Baltimore's Rev. Dr. Jamal Bryant, a leading youth activist and advisor to the Trayvon Martin family. He echoed the call to end racial profiling by law enforcement in America:

This piece of legislation being offered by my senator, Senator CARDIN, is the last missing piece for the civil rights bill from 1965 that says there ought to be equality regardless of one's gender or one's race. Racial

profiling is in fact an extension of racism in America that has been unaddressed and this brings closure to the divide in this country.

I have called for putting an end to racial profiling, a practice that singles out individuals based on race, ethnicity, national origin, or religion.

My legislation would protect minority communities by prohibiting the use of racial profiling by law enforcement officials.

First, the bill prohibits the use of racial profiling by all law enforcement agents, whether Federal, State, or local. Racial profiling is defined in a standard, consistent definition as the practice of a law enforcement agent relying on race, ethnicity, religion, or national origin as a factor in their investigations and activities. The legislation creates an exception for the use of these factors where there is trustworthy information, relevant to the locality and time frame, which links persons of a particular race, ethnicity, or national origin to an identified incident or scheme.

Law enforcement agencies would be prohibited from using racial profiling in criminal or routine law enforcement investigations, immigration enforcement, and national security cases.

Second, the bill would mandate training on racial profiling issues, and requires data collection by local and State law enforcement agencies.

Third, this bill would condition the receipt of Federal funds by state and local law enforcement on two grounds. First, under this bill, state and local law enforcement would have to ''maintain adequate policies and procedures designed to eliminate racial profiling.'' Second, they must ''eliminate any existing practices that permit or encourage racial profiling.''

Fourth, the bill would authorize the Justice Department to provide grants to State and local government to develop and implement best policing practices that would discourage racial profiling, such as early warning systems.

Finally, the bill would require the Attorney General to provide periodic reports to assess the nature of any ongoing discriminatory profiling practices.

The bill would also provide remedies for individuals who were harmed by racial profiling.

The legislation I introduce today is supported by the Leadership Conference on Civil and Human Rights, NAACP, Rights Working Group, ACLU, and numerous other national, state, and local organizations.

Racial profiling is bad policy, but given the state of our budgets, it also diverts scarce resources from real law enforcement. Law enforcement officials nationwide already have tight budgets. The more resources spent investigating individuals because of their race, religion, national origin, or ethnicity, the fewer resources directed at suspects who are actually demonstrating illegal behavior.

Using racial profiling makes it less likely that certain affected communities will voluntarily cooperate with law enforcement and community policing efforts, making it harder for our law enforcement community to combat crimes and fight terrorism.

Minorities living and working in these communities in which racial profiling is used may also feel discouraged from traveling freely, which corrodes the public trust in government. This ultimately demonizes entire communities and perpetuates negative stereotypes based on an individual's race, ethnicity, or religion.

Racial profiling has no place in modern law enforcement. The vast majority of our law enforcement officials who put their lives on the line every day handle their jobs with professionalism, diligence, and fidelity to the rule of law.

However, Congress and the Justice Department can and should still take steps to prohibit racial profiling and finally root out its use.

I agree with Attorney General Holder's remarks to the American-Arab Anti-Discrimination Committee where he stated:

> In this Nation, security and liberty are—at their best—partners, not enemies, in ensuring safety and opportunity for all . . . In this Nation, the document that sets forth the supreme law of the land—the Constitution—is meant to empower, not exclude . . . Racial profiling is wrong. It can leave a lasting scar on communities and individuals. And it is, quite simply, bad policing—whatever city, whatever state.

The Fourteenth Amendment to the U.S. Constitution guarantees the ''equal protection of the laws'' to all Americans. Racial profiling is abhorrent to that principle, and should be ended once and for all.

As the late Senator Ted Kennedy often said, ''civil rights is the great unfinished business of America.'' Let us continue the fight here to make sure that we truly have equal justice under law for all Americans. I urge my colleagues to support this legislation.

By Mr. BLUMENTHAL:

S. 1041. A bill to amend title 10, United States Code, to afford crime victims' rights to victims of offenses under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

Mr. BLUMENTHAL. Mr. President, I rise today to introduce the Military Crime Victims Rights Act of 2013. There are 26,000 victims of sexual assault in the military every year; at least last year there were that number estimated. But only a fraction, some 3,000-plus, were reported.

This measure encourages more accurate and complete reporting of all kinds, by guaranteeing all victims of crimes in the military the basic rights that victims have in civilian courts under current law. These rights are not a matter of discretion, they are a legal right that victims of crimes in our Federal courts enjoy. My proposal is essentially to apply these same rights, guarantee them, in the Uniform Code of Military Justice.

The Uniform Code of Military Justice fails to afford these basic rights. They are rights of decency and fairness to crime victims. It requires many of these victims to endure humiliating and insulting obstacles in their quest for justice, so it naturally discourages them from coming forward and reporting these acts, most especially the act of sexual assault.

Those rights that I believe should be applied under the Uniform Code of Military Justice are, for example, the right to protection from the accused, notice and opportunity to speak at trial, the right against unreasonable delay in trial proceedings. Those are a few of the rights that would be guaranteed. They are standards of decency and fairness that are essential to effective prosecution and the goals of good order and discipline in the military.

These fundamental rights are well-established in the civilian courts and well-esteemed by prosecutors and defendants as well as the victims, because they enable the justice system to function more fairly and effectively. Few would imagine going into a civilian court in a criminal trial without the statutory right to be protected from the accused, protection against physical threats or intimidation. Few would imagine going into a civilian court and being denied the right to appear and to speak when one's history, one's personal and sexual history is an issue in the trial. Few would imagine the denial of a right to be heard in the course of sentencing. Few would imagine unreasonable delay and permission for the accused to actually leave the country and be unavailable for the trial and thereby have that unreasonable delay. Yet in the military court, these events are routine and expected. This bill would correct that failing.

There is no reason military sexual assault victims should be given less respect or fewer rights than civilian victims of the same offense. The key to deterring crime is prosecuting and punishing it effectively, which requires reporting by victims. More than reporting, it requires cooperation. We know for a fact that victims denied rights and respect will simply not report sexual assault in the military. They fear retaliation and discouragement of many kinds in reporting serious crimes of all kinds. If sexual assault is not reported, it cannot be prosecuted. If it is not prosecuted, it certainly cannot be punished or deterred.

I became involved in this issue of victims rights in the military because of a constituent who came forward to me. I became involved in her case because she was denied basic justice. Her case was delayed. She was a victim of sexual assault in the apartment of an officer stationed in Rhode Island. She never had the opportunity to speak in court in a timely way. Her credibility was directly put at issue. She had no opportunity to rebut, in effect, the charges

brought against her. So often the victim is the one on trial. So often she or he is forced to relive that brutal, vicious predatory act of criminal conduct simply to bring charges and seek justice.

She is seeking justice not only on her own behalf but on behalf of the Nation, because it is clearly the experience, as proven by solid evidence, that a sexual offender repeats that offense. The rate of recidivism is higher for sexual offenses than any other kind of crime.

Last year I requested that the Department of Defense investigate both their failures to afford victims the right to be heard during public proceedings and victims' rights to be free from unreasonable delay and the lack of remedies available to victims. The report I received as a result of that request explained, in February, that the Department of Defense does not include the full list of crime victims rights in its directive because it references a repealed statute, one from 1990, rather than the more recent one passed by Congress, the United States Justice for All Act of 2004.

That is why still today our military services, each of them, is operating on out-of-date and inadequate victim protection. The reason is not military necessity; it is simply ignoring the law that exists right now in spirit if not in letter. My bill would correct the letter of the law to guarantee these rights.

I appreciate the investigation conducted by the Department of Defense General Counsel Robert Taylor and the military's commitment to revising their out-of-date directives and instructions, but we need a statutory remedy now, so people whose rights are violated will have a remedy, so they will have a recourse and relief when their rights are violated.

This victims bill of rights has proved feasible and effective in the civilian justice proceedings involving the very same offenses.

The rights are not novel or untested, they are well established and esteemed.

I ask today for support from my colleagues in passing this measure. It is a basic, commonsense measure. It requires a military judge—just like their civilian counterparts—to take up and decide any motion asserting a victim's rights right away. It requires an ombudsman within the Department of Defense just like the ombudsman for crime victims' rights in the Department of Justice. It requires training for judge advocates and other appropriate members of the Armed Forces and personnel of the Department to assist them in responding more effectively to the needs of victims' rights. It requires trial counsel in a military case to advise the victim that he or she can seek the advice of their own attorney with respect to these rights.

We have an opportunity and an obligation to stand for those who stand for us and defend us, and I refuse to disappoint them. I look forward to working on enacting this proposal with my colleagues in the Senate Armed Services Committee, the Department of Defense, and the U.S. military. And I would welcome the views of the response systems panel established by Congress when they have views they wish to impart.

We have the best and strongest military force in the history of the world, in the history of our Nation. Our men and women in uniform deserve a military justice system worthy of their excellence.

By Mr. SCHATZ (for himself, Mr. BARRASSO, Mr. TESTER, and Ms. HIRONO):

S. 1046. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; to the Committee on Indian Affairs.

Mr. SCHATZ. 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. 1046

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 ''Native American Veterans' Memorial Amendments Act of 2013''.

SEC. 2. NATIVE AMERICAN VETERANS' MEMORIAL.

(a) AUTHORITY TO ESTABLISH MEMORIAL.—Section 3 of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q–5 note; 108 Stat. 4067) is amended—

(1) in subsection (b), by striking ''within the interior structure of the facility'' and inserting ''on the property''; and

(2) in subsection (c)(1), by striking '', in consultation with the Museum, is'' and inserting ''and the National Museum of the American Indian are''.

(b) PAYMENT OF EXPENSES.—Section 4(a) of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q–5 note; 108 Stat. 4067) is amended—

(1) in the heading, by inserting ''AND NATIONAL MUSEUM OF THE AMERICAN INDIAN '' after ''AMERICAN INDIANS ''; and

(2) in the first sentence, by striking ''shall be solely'' and inserting ''and the National Museum of the American Indian shall be''.

By Ms. COLLINS (for herself and Mr. KING):

S. 1051. A bill to amend title 37, United States Code, to ensure that footwear furnished or obtained by allowance for enlisted members of the Armed Forces upon their initial entry into the Armed Forces complies with domestic source requirements; to the Committee on Armed Services.

Ms. COLLINS. Mr. President, I rise today to introduce a bipartisan bill cosponsored by Senator KING that would ensure the Department of Defense provides military recruits with athletic footwear made in the U.S.A.

The Berry Amendment, established by Congress in 1941, requires the Department to give preference to clothing and other items made in the United States for any contract valued at $150,000 or more.

For decades, the military issued American-made uniforms, including athletic footwear, for our troops. However since fiscal year 2002, the purpose and intent of the Berry Amendment have been undermined by a change in DOD policy. The Army, Air Force, and the Navy now provide a cash voucher that incoming servicemembers use to purchase athletic footwear, without providing any preference for domestically manufactured footwear.

DOD claims that a soldier's individual purchase of athletic footwear with a DOD-provided cash allowance is not subject to the Berry Amendment because such individual purchases fall below the simplified acquisition threshold of $150,000.

Yet, the cash allowances provided with Federal funds for athletic shoes are valued at about $15 million annually, an amount that is 100 times the minimum contract value at which the Berry Amendment applies.

Like all other clothing items issued directly by the military services, athletic footwear should be made in the U.S.A. by American companies. It is time for DoD to treat athletic footware like every other uniform item, including boots, and buy them from American manufacturers.

This bill would require DOD to comply with the Berry Amendment for footwear either issued directly to or through a cash allowance to servicemembers upon initial entry into the Armed Forces. In other words, athletic footwear would be treated like boots and all other uniform items.

In the past, opponents of ensuring compliance with the Berry amendment have argued there is an insufficient domestic market for athletic shoes, that Berry compliant shoes somehow would not provide adequate comfort or safety, and that athletic shoes are not uniform items. None of these objections withstands scrutiny.

After the Senate Armed Services Committee required DOD to conduct a market survey to determine vendor interest, DOD found that vendor interest and capacity do exist to support a Berry compliant shoe market. The report also found that at least two American companies can produce high-quality Berry compliant footwear right now in the quantity and at the price point needed. Today, a 100 percent Berry compliant shoe is on the market at a price of $68, $6 less than the current Army allowance of $74, and without requiring waivers.

The comfort argument is also based on the unfounded premise that recruits somehow would not enjoy the same degree of comfort or safety with a Berry compliant shoe. Yet the military makes no distinction for boots or other uniform shoes, to no adverse effect upon recruits. To address this concern, however, the amendment would exempt servicemembers requiring a waiver for medical reasons.

Finally, I dispute the characterization that athletic shoes are not uniform items. Federal funds are used to

purchase the shoes, and recruits are required to wear them. If this is not a uniform item, why are we allocating Federal funding at all? I would also suggest that any initial entry trainee who arrives at a physical training formation without athletic shoes would also dispute the characterization.

This bill is consistent with several Congressional interventions that have corrected a pattern of Federal agencies ignoring or narrowly interpreting domestic sourcing statutes contrary to Congress's intent.

During the Senate Armed Services Committee markup of the fiscal year 2013 NDAA, the Committee unanimously adopted an amendment offered by Senator GRAHAM to require the fabric of clothing provided to Afghanistan security forces comply with the Berry Amendment without exception or exemption.

In July 2012, 12 Senators introduced legislation to require the United States Olympic Committee adopt a policy that ceremonial athletic uniforms, including accessories such as shoes, be produced in the United States.

If American-made uniforms are appropriate for U.S. Olympic athletes and Afghan security personnel, surely our servicemembers deserve the same. Federal funds for clothing worn by new recruits should benefit American workers and American companies rather than workers overseas.

This is about supporting American manufacturing jobs and having American soldiers fight and train in American-made footwear. I urge my colleagues to support this bill to provide military recruits with athletic footwear made in the U.S.A.

By Mr. WYDEN (for himself and Mr. ROBERTS):

S. 1053. A bill to amend title XVIII of the Social Security Act to strengthen and protect Medicare hospice programs; to the Committee on Finance.

Mr. WYDEN. 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. 1053

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 ''Hospice Evaluation and Legitimate Payment Act of 2013''.

SEC. 2. ENSURING TIMELY ACCESS TO HOSPICE CARE.

(a) IN GENERAL.—Section 1814(a)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395f(a)(7)(D)(i)) is amended to read as follows:

''(i) a hospice physician, nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in section 1861(aa)(5)), or other health professional (as designated by the Secretary), has a face-to-face encounter with the individual to determine continued eligibility of the individual for hospice care prior to the first 60-day period and each subsequent recertification under subparagraph (A)(ii) (or, in the case where a hospice program newly admits an individual who would be entering their first 60-day period or a subsequent hospice benefit period or where exceptional circumstances, as defined by the Secretary, may prevent a face-to-face encounter prior to the beginning of the hospice benefit period, not later than 7 calendar days after the individual's election under section 1812(d)(1) with respect to the hospice program) and attests that such visit took place (in accordance with procedures established by the Secretary); and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on January 1, 2014, and applies to hospice care furnished on or after such date.

SEC. 3. RESTORING AND PROTECTING THE MEDICARE HOSPICE BENEFIT.

(a) IN GENERAL.—Section 1814(i) of the Social Security Act (42 U.S.C. 1395f(i)) is amended—

(1) in paragraph (6)—

(A) in subparagraph (D)—

(i) in clause (i)—

(I) in the first sentence, by striking ''not earlier than October 1, 2013, the Secretary shall, by regulation,'' and inserting ''subject to clause (iii), not earlier than the later of 2 years after the demonstration program under subparagraph (F) is completed or October 1, 2017, the Secretary shall, by regulation, preceded by a notice of the proposed regulation in the Federal Register and a period for public comment in accordance with section 1871(b)(1),''; and

(II) in the second sentence, by inserting '' and shall take into account the results of the evaluation conducted under subparagraph (F)(ii)'' before the period; and

(ii) by adding at the end the following new clause:

''(iii) The Secretary shall implement the revisions in payment pursuant to clause (i) unless the Secretary determines that the demonstration program under subparagraph (F) demonstrated that such revisions would adversely affect access to quality hospice care by beneficiaries under this title.''; and

(B) by adding at the end the following new subparagraph:

''(F) HOSPICE PAYMENT REFORM DEMONSTRATION PROGRAM.—

''(i) ESTABLISHMENT OF DEMONSTRATION PROGRAM.—

''(I) IN GENERAL.—Before implementing any revisions to the methodology for determining the payment rates for routine home care and other services included in hospice care under subparagraph (D), the Secretary shall establish a Medicare Hospice Payment Reform demonstration program (in this subparagraph referred to as the 'demonstration program') to test such proposed revisions.

''(II) DURATION.—The demonstration program shall be conducted for a 2-year period beginning on or after October 1, 2013.

''(III) SCOPE.—Any certified hospice program may apply to participate in the demonstration program and the Secretary shall select not more than 15 such hospice programs to participate in the demonstration program.

''(IV) REPRESENTATIVE PARTICIPATION.—Hospice programs selected under subclause (III) to participate in the demonstration program shall include a representative cross-section of hospice programs throughout the United States, including programs located in urban and rural areas.

''(ii) EVALUATION AND REPORT.—

''(I) EVALUATION.—The Secretary shall conduct an evaluation of the demonstration program. Such evaluation shall include an analysis of whether the use of the revised payment methodology under the demonstration program has improved the quality of patient care and access to hospice care for beneficiaries under this title and the impact of such payment revisions on hospice care providers, including the impact, if any, on the ability of hospice programs to furnish quality care to beneficiaries under this title.

''(II) REPORT.—Not later than 2 years after the completion of the demonstration program, the Secretary shall submit to Congress a report containing the results of the evaluation conducted under subclause (I), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

''(iii) BUDGET NEUTRALITY.—With respect to the 2-year period of the demonstration program, the Secretary shall ensure that revisions in payment implemented as part of the demonstration program shall result in the same estimated amount of aggregate payments under this title for hospice care for the programs participating in the demonstration as would have been made if the hospice programs had not participated in the demonstration program.''.

SEC. 4. HOSPICE SURVEY REQUIREMENT.

Section 1861(dd)(4) of the Social Security Act (42 U.S.C. 1395x(dd)(4)) is amended by adding at the end the following new subparagraph:

''(C) Any entity that is certified as a hospice program shall be subject to a standard survey by an appropriate State or local survey agency, or an approved accreditation agency, as determined by the Secretary, not less frequently than once every 36 months beginning 6 months after the date of the enactment of this subparagraph.''.

By Mr. REID:

S. 1054. A bill to establish Golf Butte National Conservation Area in Clark County, Nevada in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, today I rise to introduce the Gold Butte National Conservation Area Act of 2013. This legislation will designate the Gold Butte National Conservation Area in Southern Nevada and designate wilderness within Gold Butte.

I am proud to introduce this important bill, which has been in the making for at least a decade. The establishment of the Gold Butte National Conservation Area has been supported by Clark County, the City of Mesquite, Friends of Gold Butte, the Moapa Band of Paiutes, the Nevada Resort Association, and thousands of Nevadans.

By establishing the Gold Butte National Conservation Area as a unit of the National Landscape Conservation System, managed by the Bureau of Land Management, we will conserve, protect and enhance this unique part of Southern Nevada's landscape.

The proposed National Conservation Area is located in Clark County, south of the City of Mesquite and surrounded on three sides by the Lake Mead National Recreation Area and the Grand Canyon Parashant National Monument in Arizona. Gold Butte, deemed by locals as ''Nevada's piece of the Grand

Canyon'', is recognized for its amazing sandstone formations, critical habitat for desert tortoise, mining heritage and the ancient Native American rock art that is so prevalent throughout the area. The land is home to a number of rare plants and animals such as desert tortoise, desert bighorn sheep, golden eagles, and bear poppies. The legislation will also protect current uses which include camping, hunting, hiking and riding off-highway vehicles on previously designated routes.

Gold Butte is named for the mining town of the same name comprised of approximately 1,000 miners in the early 1900s. Long since abandoned, Gold Butte shows the remnants of an early pioneer history of ranching and mining. Even before the early settlers, however, Native Americans depended on this area. The evidence of ancient people can be found nearly everywhere in Gold Butte—petroglyphs, agave roasting pits, hunting blinds, rock shelters, stone tools, pottery shards and charcoal are found across the landscape.

For decades, the Gold Butte area has been a special place for those in the surrounding community. Over 10 years ago people started noticing the impacts of increased unmanaged visitation such as litter, fires, waste and degradation of cultural and natural resources. Unfortunately, these human impacts were becoming a common occurrence in Gold Butte. It was then that a group of conservationists, sportsmen, archaeologists, tribal members, ranchers and community members formed Friends of Gold Butte and started advocating for a higher level of protection for the area. Since 2000, Friends of Gold Butte has worked to create and shape a proposal for protection of these important resources.

The National Conservation Area will also benefit the local economy by bringing tourists and outdoor enthusiasts to explore the natural beauty of this desert landscape. Nevada already benefits from $14.9 billion annually in consumer spending directly related to the outdoor recreation industry, which directly supports 148,000 jobs. Designation of the Gold Butte National Conservation Area will draw more people to the area and bring in vital tourist dollars to the City of Mesquite and to Clark County.

The legislation also designates wilderness areas within the Gold Butte National Conservation Area. These wilderness areas provide key habitat for a number of critical species, protects the cultural resources and the many primitive places in Gold Butte.

The Gold Butte National Conservation Area Act is an ambitious piece of legislation, built on years of hard work by local advocates and stakeholder input. It protects vital natural and cultural resources and preserves an important area of recreation for future generations.

I understand that more work will need to be done on this bill and I anticipate feedback by stakeholders to improve the legislation.

I look forward to working with my colleagues to move this important legislation through the legislative process.

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. 1054

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Gold Butte National Conservation Area Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—GOLD BUTTE NATIONAL CONSERVATION AREA

Sec. 101. Establishment of Gold Butte National Conservation Area.
Sec. 102. Management of Conservation Area.
Sec. 103. General provisions.
Sec. 104. Gold Butte National Conservation Area Advisory Council.

TITLE II—DESIGNATION OF WILDERNESS AREAS IN CLARK COUNTY, NEVADA

Sec. 201. Findings.
Sec. 202. Additions to National Wilderness Preservation System.
Sec. 203. Administration.
Sec. 204. Adjacent management.
Sec. 205. Military, law enforcement, and emergency overflights.
Sec. 206. Release of wilderness study areas.
Sec. 207. Native American cultural and religious uses.
Sec. 208. Wildlife management.
Sec. 209. Wildfire, insect, and disease management.
Sec. 210. Climatological data collection.
Sec. 211. National Park System land.

TITLE III—GENERAL PROVISIONS

Sec. 301. Relationship to Clark County Multi-Species Habitat Conservation Plan.
Sec. 302. Visitor center, research, and interpretation.
Sec. 303. Termination of withdrawal of Bureau of Land Management land.

SEC. 2. FINDINGS.

Congress finds that—

(1) the public land in southeastern Nevada generally known as ''Gold Butte'' is recognized for outstanding—

(A) scenic values;

(B) natural resources, including critical habitat, sensitive species, wildlife, desert tortoise habitat, and geology;

(C) historic resources, including historic mining, ranching and other western cultures, and pioneer activities; and

(D) cultural resources, including evidence of prehistoric habitation and rock art;

(2) Gold Butte has become a destination for diverse recreation opportunities, including camping, hiking, hunting, motorized recreation, and sightseeing.

(3) Gold Butte draws visitors from throughout the United States;

(4) Gold Butte provides important economic benefits to Mesquite and other nearby communities;

(5) inclusion of the Gold Butte National Conservation Area in the National Landscape Conservation System would provide increased opportunities for—

(A) interpretation of the diverse values of the area for the visiting public; and

(B) education and community outreach in the region; and

(6) designation of Gold Butte as a National Conservation Area will permanently protect the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources within the area.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term ''Advisory Council'' means the Gold Butte National Conservation Area Advisory Council established under section 104(a).

(2) CONSERVATION AREA.—The term ''Conservation Area'' means the Gold Butte National Conservation Area established by section 101(a).

(3) COUNTY.—The term ''County'' means Clark County, Nevada.

(4) DESIGNATED ROUTE.—The term ''designated route'' means a road that is designated as open by the Route Designations for Selected Areas of Critical Environmental Concern Located in the Northeast Portion of the Las Vegas BLM District Environmental Assessment, NV–052–2006–0433.

(5) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Conservation Area developed under section 102(b).

(6) MAP.—The term ''Map'' means the map entitled ''Gold Butte National Conservation Area'' and dated May 23, 2013.

(7) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) STATE.—The term ''State'' means the State of Nevada.

(10) WILDERNESS AREA.—The term ''wilderness area'' means a wilderness areas designated by section 202(a).

TITLE I—GOLD BUTTE NATIONAL CONSERVATION AREA

SEC. 101. ESTABLISHMENT OF GOLD BUTTE NATIONAL CONSERVATION AREA.

(a) ESTABLISHMENT.—There is established the Gold Butte National Conservation Area in the State.

(b) AREA INCLUDED.—The Conservation Area shall consist of approximately 348,515 acres of public land administered by the Bureau of Land Management in the County, as generally depicted on the Map.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Conservation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

SEC. 102. MANAGEMENT OF CONSERVATION AREA.

(a) PURPOSES.—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws, the Secretary shall manage the Conservation Area in a manner

that conserves, protects, and enhances the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of the Conservation Area.

(b) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection and management of the Conservation Area.

(2) CONSULTATION.—The Secretary shall prepare the management plan in consultation with the State, local and tribal government entities, the Advisory Council, and the public.

(3) REQUIREMENTS.—The management plan shall—

(A) describe the appropriate uses and management of the Conservation Area; and

(B) include a recommendation on interpretive and educational materials regarding the cultural and biological resources of the region within which the Conservation Area is located.

(4) INCORPORATION OF ROUTE DESIGNATIONS.—The management plan shall incorporate the decisions in the Route Designations for Selected Areas of Critical Environmental Concern Located in the Northeast Portion of the Las Vegas BLM District Environmental Assessment, NV–052–2006–0433.

(c) USES.—The Secretary shall allow only such uses of the Conservation Area that the Secretary determines would further the purpose of the Conservation Area described in subsection (a).

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interests in land located within the boundary of the Conservation Area that is acquired by the United States after the date of enactment of this Act shall become part of the Conservation Area and be managed as provided in subsection (a).

(e) MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles shall be permitted only on designated routes.

(2) MONITORING AND EVALUATION.—The Secretary shall annually—

(A) assess the effects of the use of motorized vehicles on designated routes; and

(B) in consultation with the Nevada Department of Wildlife, assess the effects of designated routes on wildlife and wildlife habitat to minimize environmental impacts and prevent damage to cultural and historical resources from the use of designated routes.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage designated routes in a manner that—

(i) is consistent with motorized and mechanized use of the designated routes that is authorized on the date of the enactment of this Act;

(ii) ensures the safety of the people that use the designated routes;

(iii) does not damage sensitive habitat or cultural or historical resources; and

(iv) provides for adaptive management of resources and restoration of damaged habitat or resources.

(B) REROUTING.—

(i) IN GENERAL.—A designated route may be temporarily closed or rerouted if the Secretary, in consultation with the State, the County, and the Advisory Council, subject to subparagraph (C), determines that—

(I) the designated route is having an adverse impact on—

(aa) sensitive habitat;

(bb) natural resources;

(cc) cultural resources; or

(dd) historical resources;

(II) the designated route threatens public safety;

(III) temporary closure of the designated route is necessary to repair—

(aa) the designated route; or

(bb) resource damage; or

(IV) modification of the designated route would not significantly affect access within the Conservation Area.

(ii) PRIORITY.—If the Secretary determines that the rerouting of a designated route is necessary under clause (i), the Secretary may give priority to existing roads designated as closed.

(iii) DURATION.—A designated route that is temporarily closed under clause (i) shall remain closed only until the date on which the resource or public safety issue that led to the temporary closure has been resolved.

(C) NOTICE.—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily closed through—

(i) use of appropriate signage within the Conservation Area; and

(ii) the distribution of maps, safety education materials, law enforcement, and other information considered to be appropriate by the Secretary.

(4) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this section affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(5) MAP ON FILE.—The Secretary shall keep a current map on file at the appropriate offices of the Bureau of Land Management.

(6) ROAD CONSTRUCTION.—Except as necessary for administrative purposes or to respond to an emergency, the Secretary shall not construct any permanent or temporary road within the Conservation Area after the date of enactment of this Act.

(f) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The Conservation Area shall be administered as a component of the National Landscape Conservation System.

(g) HUNTING, FISHING, AND TRAPPING.—Nothing in this title affects the jurisdiction of the State with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

SEC. 103. GENERAL PROVISIONS.

(a) NO BUFFER ZONES.—

(1) IN GENERAL.—The establishment of the Conservation Area shall not create an express or implied protective perimeter or buffer zone around the Conservation Area.

(2) PRIVATE LAND.—If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this title concerning the establishment of the Conservation Area prohibits or limits the use or conduct of the activity.

(b) WITHDRAWALS.—Subject to valid existing rights, all public land within the Conservation Area, including any land or interest in land that is acquired by the United States within the Conservation Area after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(c) SPECIAL MANAGEMENT AREAS.—

(1) IN GENERAL.—The establishment of the Conservation Area shall not affect the management status of any area within the boundary of the Conservation Area that is protected under the Clark County Multi-Species Habitat Conservation Plan.

(2) CONFLICT OF LAWS.—If there is a conflict between the laws applicable to an area described in paragraph (1) and this title, the more restrictive provision shall control.

SEC. 104. GOLD BUTTE NATIONAL CONSERVATION AREA ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the ''Gold Butte National Conservation Area Advisory Council''.

(b) DUTIES.—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of the management plan.

(c) APPLICABLE LAW.—The Advisory Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(d) MEMBERS.—

(1) IN GENERAL.—The Advisory Council shall include 13 members to be appointed by the Secretary, of whom, to the extent practicable—

(A) 4 members shall be appointed after considering the recommendations of the Mesquite, Nevada, City Council;

(B) 1 member shall be appointed after considering the recommendations of the Bunkerville, Nevada, Town Advisory Board;

(C) 1 member shall be appointed after considering the recommendations of the Moapa Valley, Nevada, Town Advisory Board;

(D) 1 member shall be appointed after considering the recommendations of the Moapa, Nevada, Town Advisory Board;

(E) 1 member shall be appointed after considering the recommendations of the Moapa Band of Paiutes Tribal Council; and

(F) 5 at-large members from the County shall be appointed after considering the recommendations of the County Commission.

(2) SPECIAL APPOINTMENT CONSIDERATIONS.—The at-large members appointed under paragraph (1)(F) shall have backgrounds that reflect—

(A) the purposes for which the Conservation Area was established; and

(B) the interests of persons affected by the planning and management of the Conservation Area.

(3) REPRESENTATION.—The Secretary shall ensure that the membership of the Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Advisory Council.

(4) INITIAL APPOINTMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the initial members of the Advisory Council in accordance with paragraph (1).

(e) DUTIES OF THE ADVISORY COUNCIL.—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of the management plan, including budgetary matters relating to the Conservation Area.

(f) COMPENSATION.—.Members of the Advisory Council shall receive no compensation for serving on the Advisory Council.

(g) CHAIRPERSON.—

(1) IN GENERAL.—The Advisory Council shall elect a Chairperson from among the members of the Advisory Council.

(2) TERM.—The term of the Chairperson shall be 3 years.

(h) TERM OF MEMBERS.—

(1) IN GENERAL.—The term of a member of the Advisory Council shall be 3 years.

(2) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Advisory Council, a member may continue to serve on the Advisory Council until a successor is appointed.

(i) VACANCIES.—

(1) IN GENERAL.—A vacancy on the Advisory Council shall be filled in the same manner in which the original appointment was made.

(2) APPOINTMENT FOR REMAINDER OF TERM.—A member appointed to fill a vacancy on the Advisory Council shall serve for the remainder of the term for which the predecessor was appointed.

(j) TERMINATION.—The Advisory Council shall terminate not later than 3 years after the date on which the final version of the management plan is published.

TITLE II—DESIGNATION OF WILDERNESS AREAS IN CLARK COUNTY, NEVADA

SEC. 201. FINDINGS.

Congress finds that—

(1) public land administered by the Bureau of Land Management, Bureau of Reclamation, and National Park Service in the County contains unique and spectacular natural, cultural, and historical resources, including—

(A) priceless habitat for numerous species of plants and wildlife;

(B) thousands of acres of land that remain in a natural state; and

(C) numerous sites containing significant cultural and historical artifacts; and

(2) continued preservation of the public land would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) protecting prehistoric cultural resources;

(C) conserving primitive recreational resources; and

(D) protecting air and water quality.

SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), the following public land administered by the National Park Service or the Bureau of Land Management in the County is designated as wilderness and as components of the National Wilderness Preservation System:

(1) VIRGIN PEAK WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 18,296 acres, as generally depicted on the Map, which shall be known as the ''Virgin Peak Wilderness''.

(2) BLACK RIDGE WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 18,192 acres, as generally depicted on the Map, which shall be known as the ''Black Ridge Wilderness''.

(3) BITTER RIDGE NORTH WILDERNESS.—Certain public land managed by the Bureau of Land Management comprising approximately 15,114 acres, as generally depicted on the Map, which shall be known as the ''Bitter Ridge North Wilderness''.

(4) BITTER RIDGE SOUTH WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 12,646 acres, as generally depicted on the Map, which shall be known as the ''Bitter Ridge Wilderness''.

(5) BILLY GOAT PEAK WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 30,460 acres, as generally depicted on the Map, which shall be known as the ''Billy Goat Peak Wilderness''.

(6) MILLION HILLS WILDERNESS.—Certain public land managed by the Bureau of Land Management, comprising approximately 24,818 acres, as generally depicted on the Map, which shall be known as the ''Million Hills Wilderness''.

(7) OVERTON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 23,227 acres, as generally depicted on the Map, which shall be known as the ''Overton Wilderness''.

(8) TWIN SPRINGS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 9,684 acres, as generally depicted on the Map, which shall be known as the ''Twin Springs Wilderness''.

(9) SCANLON WASH WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 22,826 acres, as generally depicted on the Map, which shall be known as the ''Scanlon Wash Wilderness''.

(10) HILLER MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 14,832 acres, as generally depicted on the Map, which shall be known as the ''Hiller Mountains Wilderness''.

(11) HELL'S KITCHEN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 12,439 acres, as generally depicted on the Map, which shall be known as the ''Hell's Kitchen Wilderness''.

(12) INDIAN HILLS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 8,955 acres, as generally depicted on the Map, which shall be known as the ''Indian Hills Wilderness''.

(13) LIME CANYON WILDERNESS ADDITIONS.—Certain public land managed by the Bureau of Land Management, comprising approximately 10,069 acres, as generally depicted on the Map, which is incorporated in, and shall be managed as part of, the ''Lime Canyon Wilderness'' designated by section 202(a)(9) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (16 U.S.C. 1132 note; Public Law 107–282).

(b) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The wilderness areas administered by the Bureau of Land Management shall be administered as components of the National Landscape Conservation System.

(c) ROAD OFFSET.—The boundary of any portion of a wilderness area that is bordered by a road shall be at least 100 feet away from the centerline of the road so as not to interfere with public access.

(d) LAKE OFFSET.—The boundary of any portion of a wilderness area that is bordered by Lake Mead or the Colorado River shall be 300 feet inland from the high water line.

(e) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

SEC. 203. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundaries of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of, the wilderness area within which the acquired land or interest is located.

(c) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as a wilderness area—

(i) is within the Mojave Desert;

(ii) is arid in nature; and

(iii) includes ephemeral streams;

(B) the hydrology of the land designated as a wilderness area is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region within which the land designated as a wilderness area is located is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the land designated as a wilderness area is generally not suitable for use or development of new water resource facilities;

(E) there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside the land designated as a wilderness area that would adversely affect the wilderness or other values of the land; and

(F) because of the unique nature and hydrology of the desert land designated as a wilderness area and the existence of the Clark County Multi-Species Habitat Conservation Plan, it is possible to provide for proper management and protection of the wilderness, perennial springs, and other values of the land in ways different than the methods used in other laws.

(2) STATUTORY CONSTRUCTION.—

(A) NO RESERVATION.—Nothing in this title constitutes an express or implied reservation by the United States of any water or water rights with respect to the land designated as a wilderness area.

(B) STATE RIGHTS.—Nothing in this title affects any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States.

(C) NO PRECEDENT.—Nothing in this subsection establishes a precedent with regard to any future wilderness designations.

(D) NO EFFECT ON COMPACTS.—Nothing in this title limits, alters, modifies, or amends any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

(E) CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.—Nothing in this title limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan with respect to the land designated as a wilderness area, including specific management actions for the conservation of perennial springs.

(3) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the land designated as a wilderness area.

(4) NEW PROJECTS.—

(A) DEFINITION.—

(i) IN GENERAL.—In this paragraph, the term ''water resource facility'' means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) EXCLUSION.—In this paragraph, the term ''water resource facility'' does not include wildlife guzzlers.

(B) NO LICENSES OR PERMITS.—Except as otherwise provided in this title, on and after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the land designated as a wilderness area.

(d) WITHDRAWAL.—Subject to valid existing rights, any Federal land within the wilderness areas, including any land or interest in land that is acquired by the United States within the Conservation Area after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 204. ADJACENT MANAGEMENT.

(a) NO BUFFER ZONES.—Congress does not intend for the designation of land as wilderness areas to lead to the creation of protective perimeters or buffer zones around the wilderness areas.

(b) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

SEC. 205. MILITARY, LAW ENFORCEMENT, AND EMERGENCY OVERFLIGHTS.

Nothing in this Act restricts or precludes—

(1) low-level overflights of military, law enforcement, or emergency medical services aircraft over the area designated as wilderness by this Act, including military, law enforcement, or emergency medical services overflights that can be seen or heard within the wilderness area;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military, law enforcement, or emergency medical services flight training routes, over the wilderness area.

SEC. 206. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the Bureau of Land Management land in any portion of the wilderness study areas located within the Conservation Area not designated as a wilderness area has been adequately studied for wilderness designation.

(b) RELEASE.—Any Bureau of Land Management land described in subsection (a) that is not designated as a wilderness area—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(2) shall be managed in accordance with—

(A) the land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(B) cooperative conservation agreements in existence on the date of enactment of this Act; and

(3) shall be subject to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 207. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this title diminishes—

(1) the rights of any Indian tribe; or

(2) tribal rights regarding access to Federal land for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

SEC. 208. WILDLIFE MANAGEMENT.

(a) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas.

(b) MANAGEMENT ACTIVITIES.—

(1) IN GENERAL.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), management activities to maintain or restore fish and wildlife populations and the habitats to support the populations may be carried out within the wilderness areas, if the activities—

(A) are consistent with relevant wilderness management plans; and

(B) are carried out in accordance with appropriate policies, such as those set forth in Appendix B of House Report 101–405.

(2) USE OF MOTORIZED VEHICLES.—The management activities under paragraph (1) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would—

(A) promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values; and

(B) accomplish the purposes described in subparagraph (A) with the minimum impact necessary to reasonably accomplish the task.

(c) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101–405, the State may continue to use aircraft (including helicopters) to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.

(d) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (f), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—The Secretary may designate, by regulation, areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas.

(2) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under paragraph (1).

(f) COOPERATIVE AGREEMENT.—The State, including a designee of the State, may conduct wildlife management activities in the wilderness areas—

(1) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled ''Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9'' and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and

(2) subject to all applicable laws (including regulations).

SEC. 209. WILDFIRE, INSECT, AND DISEASE MANAGEMENT.

(a) IN GENERAL.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in each wilderness area as the Secretary determines to be necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(b) EFFECT.—Nothing in this Act precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)).

SEC. 210. CLIMATOLOGICAL DATA COLLECTION.

Subject to such terms and conditions as the Secretary may require, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

SEC. 211. NATIONAL PARK SYSTEM LAND.

To the extent any of the provisions of this title are in conflict with laws (including regulations) or management policies applicable to Federal land within the Lake Mead National Recreation Area designated as a wilderness area, the laws (including regulations) or policies shall control.

TITLE III—GENERAL PROVISIONS

SEC. 301. RELATIONSHIP TO CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.

(a) IN GENERAL.—Nothing in this Act limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan with respect to the Conservation Area and the wilderness areas, including the specific management actions contained in the Clark County Multi-Species Habitat Conservation Plan for the conservation of perennial springs.

(b) CONSERVATION MANAGEMENT AREAS.—The Secretary shall credit the Conservation Area and the wilderness areas as Conservation Management Areas, as may be required by the Clark County Multi-Species Habitat Conservation Plan (including amendments to the plan).

(c) MANAGEMENT PLAN.—In developing the management plan, to the extent consistent with this section, the Secretary may incorporate any provision of the Clark County Multi-Species Habitat Conservation Plan.

SEC. 302. VISITOR CENTER, RESEARCH, AND INTERPRETATION.

(a) IN GENERAL.—The Secretary, acting through the Director of the Bureau of Land Management, may establish, in cooperation with any other public or private entities that the Secretary may determine to be appropriate, a visitor center and field office in Mesquite, Nevada—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of—

(A) the Lake Mead National Recreation Area;

(B) the Grand Canyon-Parashant National Monument; and

(C) the Conservation Area.

(b) REQUIREMENTS.—The Secretary shall ensure that the visitor center authorized under subsection (a) is designed—

(1) to interpret the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources of each of the areas described in that subsection; and

(2) to serve as an interagency field office for each of the areas described in that subsection.

(c) COOPERATIVE AGREEMENTS.—The Secretary may, in a manner consistent with this Act, enter into cooperative agreements with the State, the State of Arizona, and any other appropriate institutions and organizations to carry out the purposes of this section.

SEC. 303. TERMINATION OF WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND.

(a) TERMINATION OF WITHDRAWAL.—The withdrawal of the parcels of Bureau of Land Management land described in subsection (b) for use by the Bureau of Reclamation is terminated.

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) consist of the Bureau of Land Management land identified on the Map as ''Transfer from BOR to BLM''.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the land reverting to the Bureau of Land Management under subsection (a).

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the Map; or

(B) the legal description.

(3) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Bureau of Reclamation.

By Mr. KIRK:

S. 1059. A bill to amend the Immigration and Nationality Act to deem any person who has received an award from the Armed Forces of the United States for engagement in active combat or active participation in combat to have satisfied certain requirements for naturalization; to the Committee on the Judiciary.

Mr. KIRK. Mr. President, I rise today to introduce a bill that waives the naturalization requirements for non-citizen recipients of our armed forces' combat service awards. When a soldier, sailor, airman, or marine puts their life on the line for the United States, it only makes sense that we reciprocate their commitment to this nation by awarding these heroes U.S. citizenship as expeditiously as possible.

These awards include the Combat Infantryman Badge, the Combat Medical Badge, the Combat Action Badge, the Combat Action Ribbon, the Air Force Combat Action Medal, or any equivalent award recipients. They recognize a servicemember's presence under hostile fire or engagement in combat missions.

According to the Center for Naval Analysis, roughly 70,000 non-citizens enlisted in the active duty military between 1999 and 2008. These men and women have served in Operations New Dawn and Iraqi Freedom, and continue to serve today in Operation Enduring Freedom and elsewhere around the world.

The contributions of these men and women to the character of our military are unquestionable, and they possess language and cultural skills that are critical to the Department of Defense's mission. This legislation honors their service, and I encourage my colleagues to support its passage.

By Mr. REED:

S. 1062. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, we rely on our public schools to prepare the next generation for success as citizens, workers, and innovators. We have asked educators to raise the bar and educate all students to internationally competitive college and career-ready standards. To achieve these goals, we need to focus on the professionals who have the greatest impact on student learning at school—teachers and principals.

Today, I am pleased to be reintroducing the Educator Preparation Reform Act with Representative HONDA to improve how we prepare teachers, principals, and other educators so that they can be effective right from the start. We have also reintroduced the Effective Teaching and Leading Act to support teachers, librarians, and principals currently on the job through a comprehensive system of induction, professional development, and evaluation.

The Educator Preparation Reform Act builds on the success of the Teacher Quality Partnership Program, which I helped author in the 1998 reauthorization of the Higher Education Act. The legislation we are reintroducing today places specific attention and emphasis on principals with the addition of a residency program for new principals.

Improving instruction is a team effort, with principals at the helm. This bill better connects teacher preparation with principal preparation. The Educator Preparation Reform Act will also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals.

The bill also revamps the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention in the field of teaching, and teacher performance, including student learning outcomes. All programs—whether traditional or alternative routes to certification—will be asked to report on the same measures.

Under our legislation, states will be required to identify at-risk and low-performing programs and provide them with technical assistance and a timeline for improvement. States would be encouraged to close programs that do not improve.

The Educator Preparation Reform Act refocuses the state set-aside for higher education in Title II of the Elementary and Secondary Education Act on technical assistance for struggling teacher preparation programs and the development of systems for assessing the quality and effectiveness of professional development programs. At the same time, it allows for activities to support the development and implementation of performance assessments to measure new teachers' readiness for the classroom and enhance professional development in the core academic areas.

We have been fortunate to work with many stakeholders on this legislation. Organizations that have endorsed the Educator Preparation Reform Act include: The Alliance for Excellent Education, American Association of Colleges for Teacher Education, American Association of State Colleges and Universities, American Council on Education, American Psychological Association, Association of American Universities, Association of Jesuit Colleges and Universities, Association of Public and Land-grant Universities, Council for Christian Colleges and Universities, First Focus Campaign for Children, Higher Education Consortium for Special Education, Hispanic Association of Colleges and Universities, National Association of Elementary School Principals, National Association of Independent Colleges and Universities, National Association of Secondary School Principals, National Association of State Directors of Special Education, National Council of Teachers of Mathematics, National Science Teachers Association, National School Boards Association Opportunity to Learn Action Fund, Public Education Network, Rural School and Community Trust, Silicon Valley Education Foundation, Teacher Education Division of the Council for Exceptional Children, American Association of Colleges of Teacher Education, The Higher Education Task Force, National Association of Elementary School Principals, and National Association of Secondary School Principals.

I look forward to working to incorporate this legislation into the upcoming reauthorizations of the Elementary and Secondary Education Act and the Higher Education Act. I urge my colleagues to join in this effort and support this legislation.

By Mr. REED:

S. 1063. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am reintroducing the Effective Teaching and Leading Act to foster the development of highly skilled and effective educators.

In the upcoming reauthorization of the Elementary and Secondary Education Act, ESEA, building the capacity of our Nation's schools to enhance the effectiveness of teachers, principals, school librarians, and other school leaders must be among our top priorities.

Decades of research have demonstrated that improving educator and principal quality as well as greater family involvement are the keys to raising student achievement and turning around struggling schools. To strengthen teaching and school leadership, the Effective Teaching and Leading Act would amend Title II of ESEA to provide targeted assistance to

schools to develop and support effective teachers, principals, school librarians, and school leaders through implementation of comprehensive induction, professional development, and evaluation systems.

Every year across the country thousands of teachers leave the profession—many within their first years of teaching. An estimate by the National Commission on Teaching and America's Future of the nationwide cost of replacing public school teachers who have dropped out of the profession is $7.3 billion annually.

There are proven and well-documented strategies to support teachers that will keep them in our schools. Evidence has shown that providing teachers with comprehensive mentoring and support during their first two years of teaching reduces attrition by as much as half and increases student learning gains. The Effective Teaching and Leading Act would help schools implement the key elements of effective multi-year mentoring and induction for beginning teachers.

The bill also significantly revises the definition of ''professional development'' in current law to foster an ongoing culture of teacher, principal, school librarian, and staff collaboration throughout schools. All too often the available professional development still consists of isolated, check-the-box activities instead of helping educators engage in sustained professional learning that is regularly evaluated for its impact on classroom practice and student achievement. Effective professional development is collaborative, job-embedded, and informed by data.

It is also clear that evaluation systems have an important role to play in educator development. Through Race to the Top, ESEA waivers, and other initiatives many states and school systems are focusing on reforming their evaluation systems. When evaluation is done right, it provides educators with individualized ongoing feedback on their strengths and weaknesses and offers a path to improvement. The Effective Teaching and Leading Act would require school districts to establish rigorous, fair, and transparent evaluation systems that use multiple measures, including growth in student achievement.

Principals and school leaders also play a leading role in school improvement efforts and managing a collaborative culture of ongoing professional learning and development. Research has shown that leadership is second only to classroom instruction among school-related factors that influence student outcomes. As such, this bill would provide ongoing high-quality professional development to principals and school leaders, including multi-year induction and mentoring for new administrators.

Recognizing the importance of creating career advancement and leadership opportunities for teachers, the Effective Teaching and Leading Act supports opportunities for teachers to serve as mentors, instructional coaches, or master teachers, or take on increased responsibility for professional development, curriculum, or school improvement activities. It also calls for significant and sustainable stipends for educators that take on these new roles and responsibilities.

The bill also requires school districts to conduct surveys of the working and learning conditions educators face so this data could be used to better target investments and professional development support.

Improving teaching and school leadership is not simply a matter of sorting the good teachers and principals from the bad. What is needed is a comprehensive and integrated approach that supports new teachers and leaders as they enter the profession; provides on-going professional development that helps them improve and their students achieve; and that fairly assesses performance and provides feedback for improvement. This is the approach taken by the Effective Teaching and Leading Act.

I worked with a range of education organizations in developing this bill, including the Alliance for Excellent Education, American Federation of School Administrators, American Federation of Teachers; American Association of Colleges for Teacher Education; Association for Supervision and Curriculum Development; National Association of Elementary School Principals; National Association of Secondary School Principals; National Board for Professional Teaching Standards; Learning Forward; the National Commission for Teaching and America's Future, and the New Teacher Center. I thank them for their input and support for the bill.

I thank Congressman MIKE HONDA of California for introducing the companion bill in the House. I encourage my colleagues to cosponsor the Effective Teaching and Leading Act and work for its inclusion in the upcoming reauthorization of the Elementary and Secondary Education Act.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1074. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Easter Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

Mr. KAINE. Mr. President, I am pleased to introduce the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2013.

This legislation is critically important, because it is a major step towards reconciling an historic wrong for Virginia and the Nation. While the Virginia Tribes have received official recognition from the Commonwealth of Virginia, acknowledgement and officially-recognized status from the federal government has been considerably more difficult due to their systematic mistreatment over the past century.

The identities of the tribal members of Virginia's Indian Tribes were stripped away by Virginia's Racial Integrity Act, a State law in effect from 1924 to 1967. Racial identifications of those without white ancestry were changed to ''colored'' on birth certificates during that period. In addition, 5 of the 6 courthouses that held the vast majority of the Virginia Indian Tribal records needed to document their history to the degree required by the Bureau of Indian Affairs Office of Federal Acknowledgement were destroyed in the Civil War.

Furthermore, Virginia Indians and England signed the Treaty of Middle Plantation in 1677. This predated the creation of the United States of America by just short of 100 years. This Treaty was never recognized by the founding fathers of the United States. Therefore, the Tribes were not granted Federal recognition upon signing treaties with the federal government like tribes in other states did.

I am proud of Virginia's recognized Indian Tribes and their contributions to our Commonwealth. The Virginia Tribes are a part of us. We go to school together, work together, and serve our Commonwealth and nation together every day. These contributions should be acknowledged, and this Federal recognition for Virginia's native peoples is long overdue.

It is my hope that the Senate will act upon my legislation this year, to give these 6 Virginia Native American Tribes the Federal recognition that is long overdue.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. CARPER, Mr. WARNER, Mr. COONS, and Mr. KAINE):

S. 1077. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the reauthorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, authorized under P.L. 105–312 in 1998 and reauthorized by P.L. 107–308 in 2002, the Chesapeake Bay Gateways and Watertrails Network helps several million visitors and residents discover, enjoy, and learn about the special places and stories of the Chesapeake Bay and its watershed. Today I am introducing legislation to reauthorize this successful program.

For visitors and residents, the Gateways are the ''Chesapeake connection.'' The Network members provide an experience of such high quality that their visitors will indeed connect to the Chesapeake emotionally as well as intellectually, and thus to its conservation.

The Chesapeake Bay is a national treasure. The Chesapeake ranks as the largest of America's 130 estuaries and

one of the nation's largest and longest fresh water and estuarine systems. The Atlantic Ocean delivers half the bay's 18 trillion gallons of water and the other half flows through over 150 major rivers and streams draining 64,000 square miles within six states and the District of Columbia. The Chesapeake watershed is among the most significant cultural, natural and historic assets of our nation.

The Chesapeake is enormous and vastly diverse—how could you possibly experience the whole story in any one place? Better to connect and use the scores of existing public places to collaborate on presenting the many chapters and tales of the bay's story. Visitors and residents go to more places for more experiences, all through a coordinated Gateways Network.

Beyond simply coordinating the Network, publishing a map and guides, and providing standard exhibits at all Gateways, the National Park Service has helped Gateways with matching grants and expertise for 200 projects with a total value of more than $12 million. This is a great deal for the Bay—it helps Network members tell the Chesapeake story better and inspires people to care for this National Treasure—and it's a good deal for the Park Service. In this legislation, we cap the Gateways authorization at just $2 million annually. It serves all 150+ Gateways and their 10 million visitors. No other National Park can provide such a dramatic ratio of public dollars spent to number of visitors served.

With the National Park Service's expertise and support, Gateways have made significant progress in their mission to tell the bay's stories to their millions of members and visitors, extend access to the bay and its watershed, and develop a conservation awareness and ethic. It is time to reauthorize the Chesapeake Gateways and Watertrails program. It is my hope that the Congress will act quickly to adopt this 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 th bill was ordered to be printed in the RECORD, as follows:

S. 1077

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 ''Chesapeake Bay Gateways and Watertrails Network Reauthorization Act''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105–312) is amended by striking ''fiscal years'' and all that follows through the period at the end and inserting ''fiscal years 2014 through 2018.''.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 1083. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today I am introducing legislation designed to improve educational opportunities for students. The All Students Achieving Through Reform Act, or All-STAR Act, would provide Federal resources to the most successful charter schools to help them grow and replicate their success. I thank Senator KIRK, for joining me in this effort.

Across the nation, public charter schools are achieving promising results in low-income communities. I have been particularly impressed by the Noble Street schools in Chicago. Since opening its first campus in 1999, Noble Street has expanded to 12 charter high schools educating over 7,600 students from more than seventy communities, including some of Chicago's most difficult neighborhoods.

Noble Street has achieved phenomenal results. Even though seventy-five percent of students enter school with below grade level skills, Noble juniors have the highest ACT scores among Chicago open-enrollment schools. Moreover, 99 percent of Noble Street's seniors graduate and 90 percent go on to college. I see this success in action when I visit Noble Street schools. As soon as you walk in the door, you can tell that everyone in the building is focused on academic success. The students are actively engaged in their learning. Their teachers and principals are demanding and inspiring. Noble Street would like to continue to grow and educate more students in Chicago.

Every day 2.3 million students attend approximately 6,000 public charter schools nationally. Let us be honest, not all charter schools are excellent. Poor-performing charter schools should be closed. But we also need to replicate and expand the ones that are beating the odds, and we need to learn from them. The 2013 U.S. News and World Report's Best High Schools list included three public charters in its top ten and twenty-eight charter schools in its top 100. We need more excellent charters, like these and the Noble Street schools, in Illinois and around the country.

The bipartisan bill I am introducing today would help make that possible. My bill would allow the existing charter school program to fund the expansion and replication of the most successful charter schools. Schools that have achieved positive results with their students will be able to apply for Federal grants to expand, allowing them to include additional grades or to replicate the model at a new school. Successful charters across the country will be able to grow, providing better educational opportunities to thousands of students.

The bill also incentivizes the adoption of strong charter school policies by states. We know that successful charter schools can thrive when they have autonomy, freedom to grow, and strong accountability based on meeting performance targets. The bill would give grant priority to States that provide that environment. The bill also requires new levels of charter school authorizer reporting and accountability to ensure that good charter schools are able to succeed while bad charter schools are improved or shut down.

This bill will improve educational opportunities for students across the nation. Charter schools represent some of the brightest spots in urban education today, and successful models have the full support of the President and Secretary Duncan. We need to help these schools grow and bring their best lessons into our regular public schools so that all students can benefit. Supporting the growth of successful charter schools should be a part of the conversation when we take up reauthorization of the Elementary and Secondary Education Act. I look forward to being a part of that discussion.

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

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

S. 1083

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 ''All Students Achieving through Reform Act of 2013'' or ''All-STAR Act of 2013''.

SEC. 2. CHARTER SCHOOL EXPANSION AND REPLICATION.

(a) IN GENERAL.—Subpart 1 of part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221 et seq.) is amended—

(1) by striking section 5211;

(2) by redesignating section 5210 as section 5211; and

(3) by inserting after section 5209 the following:

''SEC. 5210. CHARTER SCHOOL EXPANSION AND REPLICATION.

''(a) PURPOSE.—It is the purpose of this section to support State efforts to expand and replicate high-quality public charter schools to enable such schools to serve additional students, with a priority to serve those students who attend identified schools or schools with a low graduation rate.

''(b) SUPPORT FOR PROVEN CHARTER SCHOOLS AND INCREASING THE SUPPLY OF HIGH-QUALITY CHARTER SCHOOLS.—

''(1) GRANTS AUTHORIZED.—From the amounts appropriated under section 5200 for any fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to make subgrants to eligible public charter schools under subsection (e)(1) and carry out the other activities described in subsection (e), in order to allow the eligible public charter schools to serve additional students through the expansion and replication of such schools.

''(2) AMOUNT OF GRANTS.—In determining the grant amount to be awarded under this subsection to an eligible entity, the Secretary shall consider—

''(A) the number of eligible public charter schools under the jurisdiction or in the service area of the eligible entity that are operating;

''(B) the number of new openings for students that could be created in such schools with such grant;

''(C) the number of students attending identified schools or schools with a low graduation rate in the State or area where an eligible entity intends to replicate or expand eligible public charter schools; and

''(D) the success of the eligible entity in overseeing public charter schools and the likelihood of continued or increased success because of the grant under this section.

''(3) DURATION OF GRANTS.—

''(A) IN GENERAL.—A grant under this section shall be for a period of not more than 3 years, except that—

''(i) an eligible entity receiving such grant may, at the discretion of the Secretary, continue to expend grant funds after the end of the grant period; and

''(ii) the Secretary may renew such grant for 1 additional 2-year period, if the Secretary determines that the eligible entity is meeting the goals of the grant.

''(B) SUBSEQUENT GRANTS.—An eligible entity that has received a grant under this section may receive subsequent grants under this section.

''(c) APPLICATION REQUIREMENTS.—

''(1) APPLICATION REQUIREMENTS.—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) CONTENTS.—The application described in paragraph (1) shall include, at a minimum, the following:

''(A) RECORD OF SUCCESS.—Documentation of the record of success of the eligible entity in overseeing or operating public charter schools, including—

''(i) the performance of the students of such public charter schools on the student academic assessments described in section 1111(b)(3) of the State where such school is located (including a measurement of the students' average academic longitudinal growth at each such school, if such measurement is required by a Federal or State law applicable to the entity), disaggregated by—

''(I) economic disadvantage;

''(II) race and ethnicity;

''(III) disability status; and

''(IV) status as a student with limited English proficiency;

''(ii)(I) the status of such schools in making adequate yearly progress, as defined in a State's plan in accordance with section 1111(b)(2)(C) or, in the case of schools for which the Secretary has waived the applicability of such section pursuant to the authority under section 9401, the status of such schools under the accountability standards authorized by such waiver; and

''(II) the status of such schools as identified schools;

''(iii) documentation of demonstrated success by such public charter schools in closing historic achievement gaps between groups of students; and

''(iv) in the case of such public charter schools that are secondary schools—

''(I) the number of students enrolled in dual enrollment, Advanced Placement, International Baccalaureate, or other college level courses;

''(II) the number of students earning a professional certificate or license through the school;

''(III) student graduation rates; and

''(IV) rates of student acceptance, enrollment, and persistence in institutions of higher education, where possible.

''(B) PLAN.—A plan for—

''(i) replicating and expanding eligible public charter schools operated or overseen by the eligible entity;

''(ii) identifying eligible public charter schools, or networks of eligible public charter schools, to receive subgrants under this section;

''(iii) increasing the number of openings in eligible public charter schools for students attending identified schools and schools with a low graduation rate;

''(iv) ensuring that eligible public charter schools receiving a subgrant under this section enroll students through a random lottery for admission, unless the charter school is using the subgrant to expand the school to serve additional grades, in which case such school may reserve seats in the additional grades for—

''(I) each student enrolled in the grade preceding each such additional grade;

''(II) siblings of students enrolled in the charter school, if such siblings desire to enroll in such grade; and

''(III) children of the charter school's founders, staff, or employees;

''(v)(I) in the case of an eligible entity described in subparagraph (A) or (C) of subsection (k)(4), the manner in which the eligible entity will work with identified schools and schools with a low graduation rate that are eligible to enroll students in a public charter school receiving a subgrant under this section and that are under the eligible entity's jurisdiction, and the local educational agencies serving such schools (as applicable), to—

''(aa) engage in community outreach, provide information in a language that the parents can understand, and communicate with parents of students at identified schools and schools with a low graduation rate who are eligible to attend a public charter school receiving a subgrant under this section about the opportunity to enroll in or transfer to such school, in a manner consistent with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974'); and

''(bb) ensure that a student can transfer to an eligible public charter school if the public charter school such student was attending in the previous school year is no longer an eligible public charter school; and

''(II) in the case of an eligible entity described in subparagraph (B) or (D) of subsection (k)(4), the manner in which the eligible entity will work with the local educational agency to carry out the activities described in items (aa) and (bb) of subclause (I);

''(vi) disseminating to public schools under the jurisdiction or in the service area of the eligible entity, in a manner consistent with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974'), the best practices, programs, or strategies learned by awarding subgrants to eligible public charter schools under this section, with particular emphasis on the best practices with respect to—

''(I) focusing on closing achievement gaps; or

''(II) successfully addressing the education needs of low-income students; and

''(vii) in the case of an eligible entity described in subsection (k)(4)(D)—

''(I) supporting the short-term and long-term success of the proposed project, by—

''(aa) developing a multi-year financial and operating model for the eligible entity; and

''(bb) including, with the plan, evidence of the demonstrated commitment of current partners, as of the time of the application, for the proposed project and of broad support from stakeholders critical to the project's long-term success;

''(II) closing public charter schools that do not meet acceptable standards of performance; and

''(III) achieving the objectives of the proposed project on time and within budget, which shall include the use of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

''(C) CHARTER SCHOOL INFORMATION.—The number of—

''(i) eligible public charter schools that are operating in the State in which the eligible entity intends to award subgrants under this section;

''(ii) public charter schools approved to open or likely to open during the grant period in such State;

''(iii) available openings in eligible public charter schools in such State that could be created through the replication or expansion of such schools if the grant is awarded to the eligible entity;

''(iv) students on public charter school waiting lists (if such lists are available) in—

''(I) the State in which the eligible entity intends to award subgrants under this section; and

''(II) each local educational agency serving an eligible public charter school that may receive a subgrant under this section from the eligible entity; and

''(v) students, and the percentage of students, in a local educational agency who are attending eligible public charter schools that may receive a subgrant under this section from the eligible entity.

''(D) TRADITIONAL PUBLIC SCHOOL INFORMATION.—In the case of an eligible entity described in subparagraph (A) or (C) of subsection (k)(4), a list of the following schools under the jurisdiction of the eligible entity, including the name and location of each such school, the number and percentage of students under the jurisdiction of the eligible entity who are attending such school, and such demographic and socioeconomic information as the Secretary may require:

''(i) Identified schools.

''(ii) Schools with a low graduation rate.

''(E) ASSURANCE.—In the case of an eligible entity described in subsection (k)(4)(A), an assurance that the eligible entity will include information (in a language that the parents can understand) about the eligible public charter schools receiving subgrants under this section—

''(i) in the notifications provided under section 1116(c)(6) to parents of each student enrolled in a school served by a local educational agency identified for school improvement or corrective action under paragraph (1) or (7) of section 1116(c); or

''(ii) in any case where the requirements under section 1116(c) have been waived in whole or in part by the Secretary under the authority of section 9401, to parents of each student enrolled in a school served by a local educational agency that has been identified as in need of additional assistance under any accountability system established under such section.

''(3) MODIFICATIONS.—The Secretary may modify or waive any information requirement under paragraph (2)(C) for an eligible entity that demonstrates that the eligible entity cannot reasonably obtain the information.

''(d) PRIORITIES FOR AWARDING GRANTS.—

''(1) IN GENERAL.—In awarding grants under this section, the Secretary shall give priority to an eligible entity that—

''(A) serves or plans to serve a large percentage of low-income students from identified schools or public schools with a low graduation rate;

''(B) oversees or plans to oversee one or more eligible public charter schools;

''(C) provides evidence of effective monitoring of the academic success of students who attend public charter schools under the jurisdiction of the eligible entity;

''(D) has established goals, objectives, and outcomes for the proposed project that are clearly specified, measurable, and attainable;

''(E) in the case of an eligible entity that is a local educational agency under State law, has a cooperative agreement under section 1116(b)(11); and

''(F) is under the jurisdiction of, or plans to award subgrants under this section in, a State that—

''(i) ensures that all public charter schools (including such schools served by a local educational agency and such schools considered to be a local educational agency under State law) receive, in a timely manner, the Federal, State, and local funds to which such schools are entitled under applicable law;

''(ii) provides funding (such as capital aid distributed through a formula or access to revenue generated bonds, and including funding for school facilities) on a per-pupil basis to public charter schools commensurate with the amount of funding (including funding for school facilities) provided to traditional public schools;

''(iii) provides strong evidence of support for public charter schools and has in place innovative policies that support academically successful charter school growth;

''(iv) authorizes public charter schools to offer early childhood education programs, including prekindergarten, in accordance with State law;

''(v) authorizes or allows public charter schools to serve as school food authorities;

''(vi) ensures that each public charter school in the State—

''(I) has a high degree of autonomy over the public charter school's budget and expenditures;

''(II) has a written performance contract with an authorized public chartering agency that ensures that the school has an independent governing board with a high degree of autonomy; and

''(III) in the case of an eligible public charter school receiving a subgrant under this section, amends its charter to reflect the growth activities described in subsection (e);

''(vii) has an appeals process for the denial of an application for a public charter school;

''(viii) provides that an authorized public chartering agency that is not a local educational agency, such as a State chartering board, is available for each individual or entity seeking to operate a public charter school pursuant to such State law;

''(ix) allows any public charter school to be a local educational agency in accordance with State law;

''(x) ensures that each authorized public chartering agency in the State submits annual reports to the State educational agency, and makes such reports available to the public, on the performance of the schools authorized or approved by such public chartering agency, which reports shall include—

''(I) the authorized public chartering agency's strategic plan for authorizing or approving public charter schools and any progress toward achieving the objectives of the strategic plan;

''(II) the authorized public chartering agency's policies for authorizing or approving public charter schools, including how such policies examine a school's—

''(aa) financial plan and policies, including financial controls and audit requirements;

''(bb) plan for identifying and successfully (in compliance with all applicable laws and regulations) serving students with disabilities, students who are English language learners, students who are academically behind their peers, and gifted students; and

''(cc) capacity and capability to successfully launch and subsequently operate a public charter school, including the backgrounds of the individuals applying to the agency to operate such school and any record of such individuals operating a school;

''(III) the authorized public chartering agency's policies for renewing, not renewing, and revoking a public charter school's charter, including the role of student academic achievement in such decisions;

''(IV) the authorized public chartering agency's transparent, timely, and effective process for closing down academically unsuccessful public charter schools;

''(V) the academic performance of each operating public charter school authorized or approved by the authorized public chartering agency, including the information reported by the State in the State annual report card under section 1111(h)(1)(C) for such school (or any similar reporting requirement authorized by the Secretary through a waiver under section 9401);

''(VI) the status of the authorized public chartering agency's charter school portfolio, by identifying all charter schools served by the public chartering agency in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;

''(VII) the authorizing functions provided by the authorized public chartering agency to the public charter schools under its purview, including such agency's operating costs and expenses as detailed through annual auditing of financial statements that conform with general accepted accounting principles; and

''(VIII) the services purchased (such as accounting, transportation, and data management and analysis) from the authorized public chartering agency by the public charter schools authorized or approved by such agency, including an itemized accounting of the actual costs of such services; and

''(xi) has or will have (within 1 year after receiving a grant under this section) a State policy and process for overseeing and reviewing the effectiveness and quality of the State's authorized public chartering agencies, including—

''(I) a process for reviewing and evaluating the performance of the authorized public chartering agencies in authorizing or approving public charter schools, including a process that enables the authorized public chartering agencies to respond to any State concerns; and

''(II) any other necessary policies to ensure effective charter school authorizing in the State in accordance with the principles of quality charter school authorizing, as determined by the State in consultation with the charter school community and stakeholders.

''(2) SPECIAL RULE.—In awarding grants under this section, the Secretary may determine how the priorities described in paragraph (1) will apply to the different types of eligible entities defined in subsection (k)(4).

''(e) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant funds for the following:

''(1) SUBGRANTS.—

''(A) IN GENERAL.—An eligible entity shall award subgrants, in such amount as the eligible entity determines is appropriate, to eligible public charter schools to replicate or expand such schools.

''(B) APPLICATION.—An eligible public charter school desiring to receive a subgrant under this subsection shall submit an application to the eligible entity at such time, in such manner, and containing such information as the eligible entity may require.

''(C) USES OF FUNDS.—An eligible public charter school receiving a subgrant under this subsection shall use the subgrant funds to provide for an increase in the school's enrollment of students through the replication or expansion of the school, which may include use of funds to—

''(i) support the physical expansion of school buildings, including financing the development of new buildings and campuses to meet increased enrollment needs;

''(ii) pay costs associated with hiring additional teachers to serve additional students;

''(iii) provide transportation to additional students to and from the school (including providing transportation to students who transfer to the school under a cooperative agreement established under section 1116(b)(11)), as long as the eligible public charter school demonstrates to the eligible entity, in the application required under subparagraph (B), that the public charter school has the capability to continue providing such transportation after the expiration of the subgrant funds;

''(iv) purchase instructional materials, implement teacher and principal professional development programs, and hire additional non-teaching staff; and

''(v) support any necessary activities associated with the school carrying out the purposes of this section, including data collection and management.

''(D) PRIORITY.—In awarding subgrants under this subsection, an eligible entity shall give priority to an eligible public charter school that—

''(i)(I) has significantly closed any achievement gaps on the State academic assessments described in section 1111(b)(3) among the groups of students described in section 1111(b)(2)(C)(v) by improving scores; or

''(II) in the case of a school in a State for which the Secretary has granted a waiver under section 9401, has significantly closed any achievement gaps among groups of students, as determined by the Secretary in accordance with any accountability standards that the Secretary has authorized through such waiver; and

''(ii) has been in operation for not less than 3 consecutive years and has demonstrated overall success, including—

''(I) substantial progress in improving student achievement, as measured—

''(aa) for tested grades and subjects, by a student's score on State academic assessments required under this Act, and other rigorous measures of student learning that are comparable across classrooms, such as the measures described in item (bb); and

''(bb) for non-tested grades and subjects, alternative measures of student learning and performance, such as student scores on pretests and end-of-course tests, student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across classrooms; and

''(II) the management and leadership necessary to overcome initial start-up problems and establish a thriving, financially viable charter school.

''(E) DURATION OF SUBGRANT.—A subgrant under this subsection shall be awarded for a period of not more than 3 years, except that an eligible public charter school receiving a subgrant under this subsection may, at the discretion of the eligible entity, continue to expend subgrant funds after the end of the subgrant period.

''(2) FACILITY FINANCING AND REVOLVING LOAN FUND.—An eligible entity may use not more than 25 percent of the amount of the grant funds received under this section to establish a reserve account described in subsection (f) to facilitate public charter school facility acquisition and development by—

''(A) conducting credit enhancement initiatives (as referred to in subpart 2) in support of the development of facilities for eligible public charter schools serving students;

''(B) establishing a revolving loan fund for use by an eligible public charter school receiving a subgrant under this subsection from the eligible entity under such terms as may be determined by the eligible entity to allow such school to expand to serve additional students;

''(C) facilitating, through direct expenditure or financing, the acquisition or development of public charter school buildings by the eligible entity or an eligible public charter school receiving a subgrant under this subsection from the eligible entity, which may be used as both permanent locations for eligible public charter schools or incubators for growing charter schools; or

''(D) establishing a partnership with 1 or more community development financial institutions (as defined in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702)) or other mission-based financial institutions to carry out the activities described in subparagraphs (A), (B), and (C).

''(3) ADMINISTRATIVE TASKS, DISSEMINATION ACTIVITIES, RESEARCH, AND DATA COLLECTION.—

''(A) IN GENERAL.—An eligible entity may use not more than 7.5 percent of the grant funds awarded under this section to cover administrative tasks, dissemination activities, and outreach, including data collection and management.

''(B) NONPROFIT ASSISTANCE.—In carrying out the administrative tasks, dissemination activities, and outreach described in subparagraph (A), an eligible entity may contract with an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under section 501(a) of such Code (26 U.S.C. 501(a)).

''(f) RESERVE ACCOUNT.—

''(1) IN GENERAL.—To assist eligible entities in the development of new public charter school buildings or facilities for eligible public charter schools, an eligible entity receiving a grant under this section may, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the amount of funds described in subsection (e)(2) in a reserve account established and maintained by the eligible entity.

''(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under this subsection shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

''(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under this subsection shall be deposited in the reserve account established under this subsection and used in accordance with the purpose described in subsection (a).

''(4) RECOVERY OF FUNDS.—

''(A) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

''(i) all funds in a reserve account established by an eligible entity under this subsection if the Secretary determines, not earlier than 2 years after the date the eligible entity first received funds under this section, that the eligible entity has failed to make substantial progress carrying out the purpose described in paragraph (1); or

''(ii) all or a portion of the funds in a reserve account established by an eligible entity under this subsection if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of funds in such account to accomplish the purpose described in paragraph (1).

''(B) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided under subparagraph (A) to collect from any eligible entity any funds that are being properly used to achieve such purpose.

''(C) PROCEDURES.—Sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under subparagraph (A).

''(D) CONSTRUCTION.—This paragraph shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

''(5) REALLOCATION.—Any funds collected by the Secretary under paragraph (4) shall be awarded to eligible entities receiving grants under this section in the next fiscal year.

''(g) FINANCIAL RESPONSIBILITY.—The financial records of each eligible entity and eligible public charter school receiving a grant or subgrant, respectively, under this section shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

''(h) NATIONAL EVALUATION.—

''(1) NATIONAL EVALUATION.—From the amounts appropriated under section 5200, the Secretary shall conduct an independent, comprehensive, and scientifically sound evaluation, by grant or contract and using the highest quality research design available, of the impact of the activities carried out under this section on—

''(A) student achievement, including State standardized assessment scores and, if available, student academic longitudinal growth (as described in subsection (c)(2)(A)(i)) based on such assessments; and

''(B) other areas, as determined by the Secretary.

''(2) REPORT.—Not later than 4 years after the date of the enactment of the All Students Achieving through Reform Act of 2013, and biannually thereafter, the Secretary shall submit to Congress a report on the results of the evaluation described in paragraph (1).

''(i) REPORTS.—Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary the following:

''(1) REPORT.—A report that contains such information as the Secretary may require concerning use of the grant funds by the eligible entity, including the academic achievement of the students attending eligible public charter schools as a result of the grant. Such report shall be submitted before the end of the 3-year period beginning on the date of enactment of the All Students Achieving through Reform Act of 2013 and every 2 years thereafter.

''(2) PERFORMANCE INFORMATION.—Such performance information as the Secretary may require for the national evaluation conducted under subsection (h)(1).

''(j) INAPPLICABILITY.—The provisions of sections 5201 through 5209 shall not apply to the program under this section.

''(k) DEFINITIONS.—In this section:

''(1) ADEQUATE YEARLY PROGRESS.—The term 'adequate yearly progress' has the meaning given such term in a State's plan in accordance with section 1111(b)(2)(C).

''(2) ADMINISTRATIVE TASKS, DISSEMINATION ACTIVITIES, AND OUTREACH.—The term 'administrative tasks, dissemination activities, and outreach' includes costs and activities associated with—

''(A) recruiting and selecting students to attend eligible public charter schools;

''(B) outreach to parents of students enrolled in identified schools or schools with low graduation rates;

''(C) providing information to such parents and school officials at such schools regarding eligible public charter schools receiving subgrants under subsection (e);

''(D) necessary oversight of the grant program under this section; and

''(E) initiatives and activities to disseminate the best practices, programs, or strategies learned in eligible public charter schools to other public schools operating in the State where the eligible entity intends to award subgrants under this section.

''(3) CHARTER SCHOOL.—The term 'charter school' means—

''(A) a charter school, as defined in section 5211(1); or

''(B) a school that meets the requirements of such section, except for subparagraph (D) of the section, and provides prekindergarten or adult education services.

''(4) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State educational agency;

''(B) an authorized public chartering agency;

''(C) a local educational agency that has authorized or is planning to authorize a public charter school;

''(D) an organization (including a nonprofit charter management organization) that has an organizational mission and record of success supporting the replication and expansion of high-quality charter schools and is—

''(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)); and

''(ii) exempt from tax under section 501(a) of such Code (26 U.S.C. 501(a)); or

''(E) a consortium of organizations described in subparagraph (D).

''(5) ELIGIBLE PUBLIC CHARTER SCHOOL.—The term 'eligible public charter school' means a charter school that has no significant compliance issue and shows evidence of strong academic results for the past three years (or over the life of the school if the school has been open for fewer than three years), based on—

''(A) increased student academic achievement and attainment for all students, including, as applicable, educationally disadvantaged students served by the charter school;

''(B)(i) demonstrated success in closing historic achievement gaps for the subgroups of students described in section 1111(b)(2)(C)(v)(II) at the charter school or, in the case of a school in a State for which the Secretary has granted a waiver under section 9401, demonstrated success in closing achievement gaps among groups of students, as determined by the Secretary in accordance with any accountability standards that the Secretary has authorized through such waiver; or

''(ii) no significant achievement gaps between any of the subgroups of students described in section 1111(b)(2)(C)(v)(II) (or as determined by the Secretary in accordance with any accountability standards authorized through a waiver under section 9401) and significant gains in student achievement with all populations of students served by the charter school; and

''(C) results (including, where applicable and available, performance on statewide tests, attendance and retention rates, secondary school graduation rates, and attendance and persistence rates at institutions of higher education) for low-income and other educationally disadvantaged students served by the charter school that are above the average achievement results for such students in the State.

''(6) GRADUATION RATE.—The term 'graduation rate' has the meaning given the term in

section 1111(b)(2)(C)(vi), as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations.

''(7) IDENTIFIED SCHOOL.—The term 'identified school' means a school—

''(A) identified for school improvement, corrective action, or restructuring under paragraph (1), (7), or (8) of section 1116(b); or

''(B) in the case of a school for which the Secretary has waived the applicability of such paragraphs pursuant to section 9401, identified as a priority school, a focus school, or a school otherwise in need of significant assistance, as determined by the accountability standards authorized by such waiver

''(8) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' includes any charter school that is a local educational agency, as determined by State law.

''(9) LOW-INCOME STUDENT.—The term 'low-income student' means a student eligible for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(10) SCHOOL FOOD AUTHORITY.—The term 'school food authority' has the meaning given the term in section 250.3 of title 7, Code of Federal Regulations (or any corresponding similar regulation or ruling).

''(11) SCHOOL YEAR.—The term 'school year' has the meaning given such term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)).

''(12) TRADITIONAL PUBLIC SCHOOL.—The term 'traditional public school' does not include any charter school, as defined in section 5211.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221 et seq.) is amended—

(1) by striking section 5231; and

(2) by inserting before subpart 1 the following:

''SEC. 5200. AUTHORIZATION OF APPROPRIATIONS FOR SUBPARTS 1 AND 2.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out subparts 1 and 2, $700,000,000 for fiscal year 2014 and such sums as may be necessary for each of the 5 succeeding fiscal years.

''(b) ALLOCATION.—In allocating funds appropriated under this section for any fiscal year, the Secretary shall consider—

''(1) the relative need among the programs carried out under sections 5202, 5205, 5210, and subpart 2; and

''(2) the quality of the applications submitted for such programs.''.

(c) CONFORMING AMENDMENTS.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 2102(2) (20 U.S.C. 6602(2)), by striking ''5210'' and inserting ''5211'';

(2) in section 5204(e) (20 U.S.C. 7221c(e)), by striking ''5210(1)'' and inserting ''5211(1)'';

(3) in section 5211(1) (as redesignated by subsection (a)(2)) (20 U.S.C. 7221i(1)), by striking ''The term'' and inserting ''Except as otherwise provided, the term'';

(4) in section 5230(1) (20 U.S.C. 7223i(1)), by striking ''5210'' and inserting ''5211''; and

(5) in section 5247(1) (20 U.S.C. 7225f(1)), by striking ''5210'' and inserting ''5211''.

(d) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended—

(1) by inserting before the item relating to subpart 1 of part B of title V the following:

''Sec. 5200. Authorization of appropriations for subparts 1 and 2.'';

(2) by striking the items relating to sections 5210 and 5211;

(3) by inserting after the item relating to section 5209 the following:

''Sec. 5210. Charter school expansion and replication.

''Sec. 5211. Definitions.'';

and

(4) by striking the item relating to section 5231.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 153—RECOGNIZING THE 200TH ANNIVERSARY OF THE BATTLE OF LAKE ERIE

Mr. TOOMEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES.153

Whereas the 9 vessels in the United States naval fleet on the Great Lake of Erie during the War of 1812 were assembled and stationed at Presque Isle Bay, Pennsylvania;

Whereas the American forces, under the command of 28-year-old Rhode Island native Oliver Hazard Perry, were tasked to subdue the enemy fleet on the lake and sever its vital supply lines to the northwestern front;

Whereas the United States fleet met its adversaries a short distance from Put-in-Bay, Ohio on September 10, 1813;

Whereas during the intense fight that ensued, the flagship of Commodore Perry, the U.S. Brig Lawrence, was disabled and its crew suffered over an 80 percent casualty rate;

Whereas Commodore Perry refused to surrender, courageously boarded a small rowboat, traversed a half-mile through hostile waters, and transferred his command to the U.S. Brig Niagara;

Whereas the U.S. Brig Niagara steered back into the heart of the battle, outmaneuvered its foes, and forced the subsequent surrender of the entire British fleet on Lake Erie;

Whereas 100 sharpshooters from the Kentucky militia stationed on board the flotilla provided devastating covering fire throughout the encounter;

Whereas to communicate the conclusion of the engagement to Major General William Henry Harrison, Commodore Perry provided the historic and succinct battle summary: ''We have met the enemy, and they are ours—two ships, two brigs one schooner & one sloop.'';

Whereas the victory solidified American control of Lake Erie for the duration of the conflict, enabling United States forces to retake Detroit and win further battles in the Old Northwest and the Niagara Valley;

Whereas the state of Pennsylvania to this day maintains the U.S. Brig Niagara as its State ship;

Whereas the battle flag of Commodore Perry, ''Dont Give Up the Ship'', is preserved in the United States Naval Academy Museum in Annapolis, Maryland; and

Whereas the battle is immortalized in the United States Senate by the masterpiece painted by William Henry Powell in 1873: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 200th anniversary the Battle of Lake Erie;

(2) remembers with great pride this significant victory in the ''Second War of Independence'' of the United States;

(3) commends the city of Erie, Pennsylvania and the Perry 200 Commemoration Commission for their efforts to ensure the appropriate recognition of this historic event; and

(4) expresses its deepest gratitude to all the sailors and marines who gave their lives in honorable service to the United States of America on the Great Lake of Erie 200 years ago.

Mr. TOOMEY. Mr. President, I am submitting a resolution to commemorate the 200th anniversary of the Battle of Lake Erie.

In the history of United States, the War of 1812 is often an overlooked chapter. However, for any visitor intrepid enough to forego the elevators in the Senate side of the Capitol, it is impossible not to notice one important day within those years of turmoil and war. Dominating the staircase is a massive rendition of the Battle of Lake Erie, painted by William Henry Powell in 1873.

The Battle of Lake Erie was one of the few unquestioned American triumphs in the war. In the center of Powell's painting is the young and courageous Oliver Hazard Perry. On September 10, 1813, after two hours of intense fighting, defeat stared Commodore Perry dead in the face, yet he refused to succumb. The painting depicts the famous point in the battle when Perry transfers his command from his disabled flagship to the U.S. Brig *Niagara* to begin the fight anew. His determination would pay off as the confused and battered enemy fleet would be unable to sustain the ongoing punishment from the *Niagara*'s cannonade. One by one each enemy vessel would strike their colors as they were forced to relinquish control of the Great Lake of Erie.

The dramatic encounter breathed new life into a damaged American war effort and captured the imagination of our young nation. Contributing in no small way to this victory was Pennsylvania's own city on the lake, Erie, that provided the safe locale, supplies, and muscle necessary to build the victorious fleet in limited time.

Just as the Battle of Lake Erie would test the resolve of the young commander Perry and his fleet, the overall war would test the resolve of our young nation. For those who think that partisan division is something unique to our country's current condition, I encourage you to look back to the bitter struggles between the Republicans and Federalists at the beginning of the 19th century. Those years would produce not only disagreement on the direction of our nascent union but also uncertainty of the ultimate success of this great experiment in representative government and the war very nearly tore us apart.

This upcoming bicentennial affords us the opportunity to reflect on the challenges overcome by our forefathers to shape and preserve this great nation that we have inherited. My friends in Erie and the Perry 200 Commemoration Commission will spend this summer paying tribute to this great battle and its participants, and I thank them for their hard work and dedication to ensure their appropriate recognition. I am hopeful this resolution can help bring attention to this remarkable event that so moved our Nation 200 years ago.

SENATE RESOLUTION 154—SUPPORTING POLITICAL REFORM IN IRAN AND FOR OTHER PURPOSES

Mr. HOEVEN (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 154

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of the foreign policy of the United States;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments in which power does not derive from free and fair elections lack democratic legitimacy;

Whereas the Supreme Leader of Iran is unelected, has the power to veto any decision made by the president or parliament of Iran, and controls the foreign and defense policy of Iran;

Whereas the current Supreme Leader of Iran has been in power since 1989 and has never been subject to a popular referendum of any kind;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views, the absence of credible international observers, widespread intimidation and repression of candidates, political parties, and citizens, and systemic electoral fraud and manipulation;

Whereas elections in Iran consistently involve severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, disruptions in telecommunications, and the absence of a free media;

Whereas the current president of Iran came to office through an election on June 12, 2009, that was widely condemned in Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election in indefinite detention;

Whereas the Government of the Islamic Republic of Iran banned more than 2,200 candidates from participating in the March 2, 2012, parliamentary elections and refused to allow domestic or international election observers to oversee those elections;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by disrupting access to the Internet, including blocking e-mail and social networking sites, limiting access to foreign news and websites, and developing a national Internet that will facilitate government censorship of news and information, and by jamming international broadcasts such as the Voice of America Persian News Network and Radio Farda, a Persian language broadcast of Radio Free Europe/Radio Liberty;

Whereas authorities in Iran have announced that a presidential election will be held on June 14, 2013; and

Whereas the Government of the Islamic Republic of Iran has banned numerous candidates from participating in the June 14, 2013, presidential election: Now, therefore be it

Resolved, That the Senate—

(1) recalls Senate Resolution 386, 112th Congress, agreed to March 5, 2012, which called for free and fair elections in Iran;

(2) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(3) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free and fair;

(4) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(5) condemns the widespread human rights violations of the Government of the Islamic Republic of Iran;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) holding elections that are free, fair, and responsive to the people of Iran, including by refraining from disqualifying candidates for political reasons;

(B) making the highest level of executive power in the Government of the Islamic Republic of Iran accountable to the people of Iran through free and fair elections;

(C) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising universally recognized human rights;

(D) lifting legislative restrictions on freedom of assembly, association, and expression; and

(E) allowing the Internet to remain free and open and allowing domestic and international media to operate freely;

(7) calls on the Government of the Islamic Republic of Iran to allow international election monitors to be present for the June 14, 2013, election;

(8) notes that the legitimacy of the June 14, 2013, election will be further called into question if—

(A) candidates are disqualified for political reasons;

(B) international election monitors are not present; and

(C) following the election, the highest level of executive power in Iran remains unaccountable to the people of Iran; and

(9) urges the President of the United States, the Secretary of State, and other world leaders—

(A) to express support for the universal rights and freedoms of the people of Iran, including to democratic self-government and fully accountable elected leaders;

(B) to engage with the people of Iran and support their efforts to promote human rights and democratic reform, including supporting civil society organizations that promote democracy and governance;

(C) to support policies and programs that preserve free and open access to the Internet in Iran; and

(D) to condemn elections that are not free and fair and that do not meet international standards.

SENATE RESOLUTION 155—RECOGNIZING THE CITY OF ERIE, PENNSYLVANIA, FOR ITS CRITICAL ROLE IN THE DEVELOPMENT AND CONSTRUCTION OF THE FLEET OF COMMODORE OLIVER HAZARD PERRY DURING THE WAR OF 1812

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 155

Whereas the City of Erie, Pennsylvania, due to its abundant resources and strategic positioning, was recommended by shipbuilder Daniel Dobbins to the United States Department of the Navy as an ideal location for the construction of a naval fleet;

Whereas the victory by the United States over Great Britain in the Battle of Lake Erie on September 10, 1813 was a crucial victory for the United States during the War of 1812, and ensured that the United States maintained control over Lake Erie for the duration of the war;

Whereas the success of the fleet of Commodore Oliver Hazard Perry in the Battle of Lake Erie helped to facilitate the important victory of General William Henry Harrison at the Battle of the Thames, as well as other military actions of the United States throughout the War of 1812;

Whereas the USS *Lawrence* and the USS *Niagara*, 2 flagships of the fleet of Commodore Perry, were returned to Presque Isle Bay, off the coast of the City of Erie, after completion of their service;

Whereas the City of Erie is home to the USS *Niagara*, which continues to sail in memory of the heroism of the United States forces in the Battle of Lake Erie;

Whereas the City of Erie honors the legacy of Commodore Perry through the Perry Monument at Presque Isle State Park; and

Whereas the City of Erie this year is recognizing the 200th anniversary of the Battle of Lake Erie: Now, therefore, be it

Resolved, That the Senate—

(1) honors the City of Erie, Pennsylvania, for its role in the development and construction of the fleet of Commodore Oliver Hazard Perry during the War of 1812; and

(2) recognizes the historical significance of the construction of the fleet of Commodore Perry and the consequent victory of the United States in the Battle of Lake Erie.

SENATE RESOLUTION 156—EXPRESSING THE SENSE OF THE SENATE ON THE 10-YEAR ANNIVERSARY OF NATO ALLIED COMMAND TRANSFORMATION

Mr. WARNER submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 156

Whereas, on June 19, 2003, NATO's Allied Command Transformation (ACT), was formally established to increase military effectiveness and prepare the Alliance for future security challenges;

Whereas, on June 19, 2013, the North Atlantic Treaty Organization (NATO) will celebrate the 10-year anniversary of the establishment of NATO ACT;

Whereas the security of the United States and its NATO allies have been enhanced by the establishment and continued work of NATO ACT;

Whereas, for the past 10 years, ACT has been leading the charge for NATO military transformation, and providing relevant and timely support to NATO operations, and developing partnerships around the globe to adapt to the changing global security environment;

Whereas ACT is the only NATO headquarters in the United States, and the only permanent NATO headquarters outside of Europe;

Whereas ACT provides state of the art education, training, and application of best practices and lessons learned from past operations, and equips Alliance troops with the tools they need to win today's wars;

Whereas ACT improves NATO's defense planning and develops compatible equipment and common standards necessary to keep Alliance capabilities aligned;

Whereas NATO ACT has been integral to a NATO mission of promoting a Europe that is whole, undivided, free, and at peace;

Whereas NATO ACT strengthened the ability of NATO to perform a full range of missions throughout the world;

Whereas NATO ACT has provided crucial support and participation in the NATO International Security Assistance Force in Afghanistan, as NATO endeavors to help the people of Afghanistan create the conditions necessary for security and successful development and reconstruction;

Whereas ACT employs personnel from 26 NATO member nations and 6 NATO Partner nations and contributes more than $100,000,000 annually to the local economy;

Whereas NATO has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and throughout the world for over 60 years, representing the vital transatlantic bond of solidarity between the United States and Europe, as NATO nations share similar values and interests and are committed to the maintenance of democratic principles;

Whereas the Chicago Summit Communique affirms that all NATO members ''are determined that NATO will continue to play its unique and essential role in ensuring our common defense and security'' and that NATO ''continues to be effective in a changing world, against new threats, with new capabilities and new partners'';

Whereas, through the Alliance, the United States and Europe are effective and steadfast partners in security, and ACT is well positioned to contribute to the strength of the Alliance on both continents;

Whereas NATO ACT has done much to help NATO meet the global challenges of the 21st century, including the threat of terrorism, the spread of weapons of mass destruction, instability caused by failed states, and threats to global energy security; and

Whereas the 10th anniversary of NATO ACT is an opportunity to enhance and more deeply entrench those principles, which continue to bind the alliance together and guide our efforts today: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 10th anniversary of the establishment of NATO Allied Command Transformation (NATO ACT);

(2) recognizes NATO ACT's leading role to continue to transform alliance forces and capabilities, using new concepts such as the NATO Response Force and new doctrines in order to improve the alliance's military effectiveness;

(3) expresses appreciation for the continuing and close partnership between the United States Government and NATO to transform the alliance;

(4) remembers the 65 years NATO has served to ensure peace, security, and stability in Europe throughout the world, and urges the United States Government to continue to seek new ways to deepen and expand its important relationships with NATO;

(5) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(6) honors the sacrifices of United States personnel, allies of the North American Treaty Organization (referred to in this resolution as ''NATO''), and partners in Afghanistan;

(7) Recognizes the outstanding partnership between the local community in Norfolk, Virginia and NATO personnel assigned to ACT;

(8) reaffirms that NATO, through the new Strategic Concept, is oriented toward the changing international security environment and the challenges of the future;

(9) urges all NATO members to take concrete steps to implement the Strategic Concept and to utilize the taskings from the 2012 NATO summit in Chicago, Illinois, to address current NATO operations, future capabilities and burden-sharing issues, and strengthen the relationship between NATO and partners around the world; and

(10) conveys appreciation for the steadfast partnership between NATO and the United States.

SENATE RESOLUTION 157—EXPRESSING THE SENSE OF THE SENATE THAT TELEPHONE SERVICE MUST BE IMPROVED IN RURAL AREAS OF THE UNITED STATES AND THAT NO ENTITY MAY UNREASONABLY DISCRIMINATE AGAINST TELEPHONE USERS IN THOSE AREAS

Ms. KLOBUCHAR (for herself, Mr. JOHNSON of South Dakota, Mrs. FISCHER, Mr. SANDERS, Mr. LEAHY, Mr. MERKLEY, Mrs. BOXER, Mr. PRYOR, Mr. GRASSLEY, Mr. BOOZMAN, Mr. ENZI, Ms. BALDWIN, and Mr. THUNE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 157

Whereas all people in the United States rely on quality, efficient, and dependable telephone service in many aspects of life, including conducting business, securing the safety of the public, and connecting families;

Whereas multiple surveys conducted by the National Exchange Carrier Association revealed that complaints of uncompleted telephone calls persist, with the most recent survey in October 2012 indicating a 41 percent increase in uncompleted calls between March and September of the same year;

Whereas the National Exchange Carrier Association and rural telecommunications carriers in April 2012 supplied information that—

(1) 6.4 percent of calls to rural areas failed, but only 0.5 percent of calls to urban areas failed; and

(2) 11 percent of calls to rural areas were either poor quality or were delayed, compared to only 5 percent in urban areas;

Whereas the Federal Communications Commission was made aware of an issue regarding telephone service connection in rural areas in November 2010 and has since issued a declaratory ruling and a notice of proposed rulemaking with respect to the issue and has reached a settlement with one telecommunications carrier;

Whereas, in a declaratory ruling in February 2012, the Federal Communications Commission made it clear that blocking or otherwise restricting telephone service is a violation of section 201(b) of the Communications Act of 1934 (47 U.S.C. 201(b)), which prohibits unjust or unreasonable practices, and section 202(a) of that Act (47 U.S.C. 202(a)), which outlines the duty of a telecommunications carrier to refrain from discrimination;

Whereas actions by the Federal Communications Commission have not significantly decreased the prevalence of telephone calls being rerouted by telecommunications carriers and some States are seeing an increase in complaints as of April 2013;

Whereas telephone communications are vital to keeping rural areas of the United States competitive in the economy, and a low rate of telephone call completion results in economic injury to rural businesses, including farmers, trucking companies, and suppliers who have seen thousands of dollars in business lost when telephone calls are not completed;

Whereas the safety of the public is at risk from a lack of quality telephone communications, including 911 services;

Whereas schools depend on telephone calls to notify students and parents of emergencies, and health care centers depend on telecommunications services to save lives and to communicate with rural patients;

Whereas small, local telecommunications carriers are losing valuable, multi-line business subscribers because of a lack of quality telecommunications services, which is financially detrimental to those carriers and adversely affects the rural communities served by those carriers; and

Whereas it may cost a telecommunications carrier serving a rural area hundreds of dollars to investigate each complaint of an uncompleted telephone call: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) all providers must appropriately complete calls to all areas of the United States regardless of the technology used by the providers;

(2) no entity may unreasonably discriminate against telephone users in rural areas of the United States; and

(3) the Federal Communications Commission should—

(A) aggressively pursue those that violate the rules of the Federal Communications Commission and create these problems, and impose swift and meaningful enforcement actions to discourage—

(i) practices leading to telephone calls not being completed in rural areas of the United States; and

(ii) unreasonable discrimination against telephone users in rural areas of the United States; and

(B) move forward with clear, comprehensive, and enforceable actions in order to establish a robust and definitive solution to discrimination against telephone users in rural areas of the United States.

SENATE RESOLUTION 158—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 158

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted a review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan;

Whereas, the Subcommittee has received a request from a federal agency for access to records of the Subcommittee's review;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the

Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan.

SENATE CONCURRENT RESOLUTION 17—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 17

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, June 3, 2013, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, May 23, 2013, through Friday, May 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, June 3, 2013, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1116. Mr. COWAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1117. Mr. JOHNSON, of South Dakota (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1118. Mr. BROWN (for himself, Mr. CASEY, Mr. COWAN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. HEINRICH, Mr. REED, Mr. SCHATZ, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1119. Mr. THUNE (for himself, Mr. DURBIN, Mr. ROBERTS, Mr. BROWN, Mr. JOHANNS, Mr. JOHNSON of South Dakota, Mr. GRASSLEY, and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1120. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1121. Mr. SCHATZ (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1122. Mr. DONNELLY (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1123. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1124. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1125. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1126. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1127. Mr. VITTER (for himself, Mr. COATS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1128. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1129. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1130. Mr. MANCHIN (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1131. Mr. SANDERS (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1132. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1133. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1134. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1135. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1136. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1137. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1138. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1139. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1140. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1141. Mr. COBURN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1142. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1143. Mr. REID (for Ms. HIRONO) proposed an amendment to the resolution S. Res. 129, recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

TEXT OF AMENDMENTS

SA 1116. Mr. COWAN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 396, strike lines 8 through 12, and insert the following:

SEC. 4202. SENIOR FARMERS' MARKET NUTRITION PROGRAM.

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended—

(1) by striking ''Of the funds'' and inserting the following:

''(1) MANDATORY FUNDING.—Of the funds'';

(2) in paragraph (1) (as so designated by paragraph (1)), by striking ''2012'' and inserting ''2018''; and

(3) by adding at the end the following:

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.''.

SA 1117. Mr. JOHNSON of South Dakota (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—National Flood Insurance Program

SEC. 12301. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the National Flood Insurance program is $24,000,000,000 in debt to the United States Treasury, with additional claims from Superstorm Sandy and other disasters still pending;

(2) in the absence of adequate, risk-based premiums, the National Flood Insurance Program is at risk of being unable to pay claims to policyholders or borrow additional funds from the United States Treasury;

(3) actions must be taken to balance the need for affordability in the National Flood Insurance Program with the need to pay claims to policyholders;

(4) the Federal Emergency Management Agency should expedite its study into methods to encourage and maintain participation in the National Flood Insurance Program and methods to educate consumers about the National Flood Insurance Program and the flood risk associated with their property;

(5) the Federal Emergency Management Agency should report promptly on methods

for establishing an affordability framework for the National Flood Insurance Program, including methods to aid individuals to afford risk-based premiums under the National Flood Insurance Program through targeted assistance, including means-tested vouchers, rather than generally subsidized rates; and

(6) Congress must work to—

(A) ensure that flood insurance rates are affordable; and

(B) strengthen the National Flood Insurance Program to ensure that it can pay future claims.

SEC. 12302. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency (referred to in this section as the ''Administrator'') shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

SEC. 12303. AMENDMENTS TO NATIONAL FLOOD INSURANCE ACT OF 1968.

(a) ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.—Section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended by inserting after the second sentence the following: ''Notwithstanding any other provision of law, in determining whether a community has made adequate progress on the construction, reconstruction, or improvement of a flood protection system, the Administrator shall consider all sources of funding for the construction, reconstruction, or improvement, including Federal, State, and local funds.''.

(b) COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.—Section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended in the first sentence by striking ''no longer does so.'' and inserting the following: ''no longer does so, and shall apply without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement of the flood protection system.''.

SEC. 12304. AFFORDABILITY STUDY.

Section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957) is amended—

(1) in subsection (c), by striking ''Not'' and inserting the following: ''Subject to subsection (e), not'';

(2) in subsection (d)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(1) NATIONAL FLOOD INSURANCE FUND.—Notwithstanding''; and

(B) by adding at the end the following:

''(2) OTHER FUNDING SOURCES.—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.''; and

(3) by adding at the end the following:

''(e) ALTERNATIVE.—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

''(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

''(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

''(3) upon the submission of information required under paragraph (2), the requirement under subsection (c) shall be deemed satisfied.''.

SA 1118. Mr. BROWN (for himself, Mr. CASEY, Mr. COWAN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. HEINRICH, Mr. REED, Mr. SCHATZ, Mr. TESTER, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 380, strike line 24 and all that follows through page 381, line 13, and insert the following:

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) by striking subclause (I) and inserting the following:

''(I) to create or implement a coordinated community plan to meet the food security needs of low-income individuals;'';

(II) in subclause (II), by inserting ''and effectiveness'' after ''self-reliance'';

(III) in subclause (III), by inserting ''food access,'' after ''food,''; and

(ii) in clause (ii), by striking subclause (I) and inserting the following:

''(I) infrastructure improvement and development;''; and

On page 381, between lines 20 and 21, insert the following:

(2) in subsection (b)(2)(B), by striking ''$5,000,000'' and inserting ''$10,000,000'';

On page 381, line 21, strike ''(2)'' and insert ''(3)''.

On page 381, strike lines 22 through 24 and insert the following:

(A) in the matter preceding paragraph (1), by inserting ''or a nonprofit entity working in partnership with a State, local, or tribal government agency or community health organization'' after ''nonprofit entity'';

On page 382, strike lines 7 through 10 and insert the following:

''(C) efforts to reduce food insecurity in the community, including increasing access to food services or improving coordination of services and programs;'';

Beginning on page 382, strike line 19 and all that follows through page 383, line 12, and insert the following:

(4) in subsection (d), by striking paragraphs (3) and (4) and inserting the following:

''(3) develop innovative linkages between the for-profit, nonprofit, and public sectors;

''(4) encourage long-term planning activities and multisystem interagency approaches with multistakeholder collaborations (such as food policy councils, food planning associations, and hunger-free community coalitions) that build the long-term capacity of communities to address the food, food security, and agricultural problems of the communities;

''(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future; or

''(6) achieve goal 2 or 3 of the hunger-free communities goals.'';

On page 383, strike lines 13 through 16 and insert the following:

(5) in subsection (f)(2), by striking ''3 years'' and inserting ''5 years'';

(6) by striking subsection (h) and inserting the following:

On page 384, line 2, strike the period at the end and insert ''; and''.

On page 384, between lines 2 and 3, insert the following:

(7) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''and recommend to the targeted entities'' and inserting ''create a nationally accessible web-based clearinghouse of regulations, zoning provisions, and best practices by government and the private and nonprofit sectors that have been shown to improve community food security, and provide to targeted entities training, technical assistance, and''; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

''(C) health disparities;

''(D) food insecurity;''; and

(B) in paragraph (4), by striking ''$200,000'' and inserting ''$500,000''.

On page 396, strike lines 8 through 12 and insert the following:

SEC. 4202. SENIORS FARMERS' MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended by striking subsection (a) and inserting the following:

''(a) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers' market nutrition program—

''(1) $23,100,000 for fiscal year 2014; and

''(2) $25,600,000 for each of fiscal years 2015 through 2018.''.

On page 420, strike lines 13 through 16 and insert the following:

''(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

''(A) $1,000,000 for fiscal year 2014;

''(B) $2,000,000 for fiscal year 2015;

''(C) $3,000,000 for fiscal year 2016;

''(D) $4,000,000 for fiscal year 2017; and

''(E) $5,000,000 for fiscal year 2018.

Beginning on page 636, strike line 21 and all that follows through page 639, line 2, and insert the following:

''(A) FAMILY FARM.—The term 'family' farm has the meaning given the term in section 761.2 of title 7, Code of Federal Regulations (as in effect on December 30, 2007).

''(B) MID-TIER VALUE CHAIN.—The term 'mid-tier value chain' means a local and regional supply network (including a network that operates through food distribution centers that coordinate agricultural production and the aggregation, storage, processing, distribution, and marketing of locally or regionally produced agricultural products) that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

''(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

''(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

''(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term 'value-added agricultural product' means any agricultural commodity or product—

''(i) that—

''(I) has undergone a change in physical state;

''(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

''(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

''(IV) is a source of farm-based renewable energy, including E–85 fuel; or

''(V) is aggregated and marketed as a locally produced agricultural food product or as part of a mid-tier value chain; and

''(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

''(I) the customer base for the agricultural commodity or product is expanded; and

''(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

On page 639, line 5, insert ''on a competitive basis'' after grants.

On page 640, strike lines 12 through 21 and insert the following:

''(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall—

''(I) in the case of a grant under subparagraph (A)(i), give priority to—

''(aa) operators of small- and medium-sized farms and ranches that are structured as family farms; or

''(bb) beginning farmers and ranchers or socially disadvantaged farmers or ranchers; and

''(II) in the case of a grant under subparagraph (A)(ii), give priority to projects (including farmer cooperative projects) that best contribute to—

''(aa) increasing opportunities for operators of small- and medium-sized farms and ranches that are structured as family farms; or

''(bb) creating opportunities for beginning farmers and ranchers or socially disadvantaged farmers and ranchers.

On page 642, line 21, strike ''June 30 of'' and insert ''the date on which the Secretary completes the review process for applications submitted under this section for''.

On page 643, line 4, strike ''$12,500,000'' and insert ''$20,000,000''.

On page 663, strike lines 8 through 23 and insert the following:

''(ii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that would—

''(I) result in increased access to locally or regionally grown food in underserved communities;

''(II) create new market opportunities for agricultural producers; or

''(III) support strategic economic and community development regional economic development plans on a multijurisdictional basis.

''(iii) GUARANTEE LOAN FEE AND PERCENTAGE.—In making or guaranteeing a loan under clause (i) the Secretary may waive, incorporate into the loan, or reduce the guarantee loan fee that would otherwise be imposed under this paragraph.

On page 1025, line 8, strike ''$20,000,000'' and insert ''$30,000,000''.

SA 1119. Mr. THUNE (for himself, Mr. DURBIN, Mr. ROBERTS, Mr. BROWN, Mr. JOHANNS, Mr. JOHNSON of South Dakota, Mr. GRASSLEY, and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12____. SENSE OF CONGRESS REGARDING UNITED STATES FARM POLICIES.

(a) FINDINGS.—Congress finds that—

(1) farming is a uniquely high-risk undertaking that is vital to the United States economy and well-being, as well as to the ability to feed a growing and hungry world;

(2) commodity prices are inherently linked to the laws of supply and demand;

(3) Congress has never demonstrated that Congress knows better than the market regarding what the proper price for a commodity should be in any given year and, especially, over the course of multiple years in the future;

(4) historically, when Congress has set fixed floor prices for commodities at artificially high levels to address low prices and depressed markets, the policies have created market-distorting cycles under which farmers have planted excessive acres of an oversupplied commodity in order to capture Government assistance, which significantly increased Federal outlays at taxpayer expense as prices continued to decline;

(5)(A) commodities are traded worldwide, and the United States is the leading producer of many of the basic commodities in the world; and

(B) therefore, the planting decisions American farmers make can impact prices farmers receive around the world;

(6) Federal assistance provided when Congress has set fixed floor prices for commodities at artificially high levels linked to planting decisions creates oversupplied and depressed markets affecting farmers in the United States and overseas and raises concerns regarding—

(A) United States commitments to international trading partners, as agreed to in the World Trade Organization Uruguay Round; and

(B) whether such policies could lead to disputes before the World Trade Organization;

(7) the United States recently lost a dispute before the World Trade Organization, costing United States taxpayers millions of dollars to maintain current farm policy and avoid retaliation;

(8) recent crop prices have reached record highs, but market demands are signaling a trend for lower price levels;

(9) future Federal farm policies that create artificially high crop price floors, especially if the price floors are linked to planting decisions, may result in a new era of taxpayer-funded Federal farm program outlays rather than a market-driven farm economy; and

(10) addressing market-based risks, such as declining or depressed prices, is difficult because providing assistance in a declining or depressed market can make the situation worse and cause significant unintended consequences for the farmer, the Federal taxpayer, the land, and markets in the United States and around the world.

(b) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) it is critical to reform Federal farm policy to make that policy—

(A) more market-oriented; and

(B) an effective risk management tool for United States farmers;

(2) Congress should develop market-oriented programs that—

(A) assist with price or market risks only when needed;

(B) treat crops equitably; and

(C) limit the potential risk for market distortion that may make disputes before the World Trade Organization more difficult to defend;

(3) Congress should not establish any farm assistance program that includes high fixed target prices or planting requirements, especially in combination, due to the risk that such a program will—

(A) distort markets;

(B) influence planting decisions; or

(C) jeopardize vital natural resources, such as soil and water, particularly in sensitive areas prone to natural disasters or with fragile ecosystems; and

(4) Congress should not require farmers to choose between assistance programs that cover fundamentally different risks as it forces farmers to make choices based on an unforeseeable future.

SA 1120. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

SEC. ___. REPORT ON FARM RISK MANAGEMENT PROGRAMS.

(a) IN GENERAL.—Not later than December 1, 2014, and each December 1 thereafter until December 1, 2017, the Secretary, acting through the Chief Economist, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes—

(1) the impact of the agriculture risk coverage program under section 1108;

(2) the interaction of that program with—

(A) the adverse market payment program under section 1107;

(B) the marketing loan program under subtitle B of title I;

(C) the supplemental coverage option under section 508(c)(3)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)(B)) (as added by section 11001); and

(D) other Federal crop insurance programs;

(3) any distortion caused by the programs described in paragraphs (1) and (2), and any other farm programs as determined by the Chief Economist, on planting and production decisions; and

(4) any overlap or substitution caused by the programs described in paragraphs (1) and (2)(A) with Federal crop insurance.

(b) SUMMARY.—Not later than June 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a summary report that analyzes the issues described in subsection (a) over the period of crop years 2014 through 2017.

(c) NEW PRODUCTS.—The Secretary, in consultation with the Administrator of the Risk Management Agency, shall investigate the establishment of new crop insurance products to address the multi-year crop revenue risks of agricultural producers.

SA 1121. Mr. SCHATZ (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1024, strike lines 15 and 16 and insert the following:

mid-sized farm and ranch operations;

''(3) procure mobile payment solutions in the form of attachments, accessories, software, or technical assistance to vendors, subject to the condition that such a grant shall not be used to procure cellular or mobile devices and shall be used to enable technology to increase the availability of wireless points-of-sale for electronic benefit transfer transactions; and

''(4) include a strategic plan to maximize the

On page 1026, between lines 6 and 7, insert the following:

''(C) ALLOWABLE EXPENSES.—The Secretary shall determine a percentage of the grants awarded under subsection (b)(1)(B) that may be used for transaction and operational costs associated with providing the use of benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), with preference given to projects that collaborate with appropriate State agencies on a plan to make their operations sustainable and replicable in the State and outside of the State without outside support over a period of not more than 3 years.

SA 1122. Mr. DONNELLY (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122___. EXCLUSION OF FLUORIDE FROM AGGREGATE EXPOSURE ASSESSMENT.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall exclude naturally occurring fluoride in drinking water and fluoride in dental health products from any determination required under section 408(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(b)(2)) regarding the aggregate exposure to the pesticide chemical residue of sulfuryl fluoride.

SA 1123. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 861, between lines 11 and 12, insert the following:

SEC. 61_____. PROHIBITION ON USE OF FUNDS UNDER THE RURAL UTILITIES SERVICE PROGRAM.

Notwithstanding any other provision of this Act, including amendments made by this Act, any amounts used to carry out the rural utilities service program, including amounts for grants and loans, shall be used to provide services to communities that do not already have access to broadband services.

SA 1124. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 433, strike line 23 and all that follows through page 434, line 5, and insert the following:

''(3) JOINT FINANCING ARRANGEMENT.—If a direct farm ownership loan is made under this chapter as part of a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the total principal amount financed under the arrangement, the interest rate on the direct farm ownership loan shall be a rate equal to the greater of—

''(A) the difference between—

''(i) 2 percent; and

''(ii) the interest rate for farm ownership loans under this chapter; or

''(B) 2.5 percent.

SA 1125. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 573, line 25, strike ''$4,226,000,000'' and insert ''$5,726,000,000''.

On page 574, line 9, strike ''$1,000,000,000'' and insert ''$2,500,000,000''.

SA 1126. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place in title XI, insert the following:

SEC. 11___. LIVESTOCK GROSS MARGIN.

Section 523(b)(10) of the Federal Crop Insurance Act (7 U.S.C. 1523(b)(10)) is amended—

(1) in subparagraph (C), by striking ''fiscal year 2004 and each subsequent fiscal year'' and inserting ''each of fiscal years 2004 through 2013''; and

(2) by adding at the end the following:

''(D) $30,000,000 for each of fiscal years 2014 through 2018.

''(E) $20,000,000 for fiscal year 2019 and each subsequent fiscal year.''.

SA 1127. Mr. VITTER (for himself, Mr. COATS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION AND CAP RELATING TO LIFELINE PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''commercial mobile service'' has the meaning given the term in section 332(d)(1) of the Communications Act of 1934 (47 U.S.C. 332(d)(1));

(2) the term ''eligible telecommunications carrier'' has the meaning given the term in section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)); and

(3) the term ''Lifeline program'' means the Lifeline program of the Federal Communications Commission set forth under sections 54.400 through 54.417 of title 47, Code of Federal Regulations.

(b) PROHIBITION ON UNIVERSAL SERVICE SUPPORT OF COMMERCIAL MOBILE SERVICE THROUGH LIFELINE PROGRAM.—A provider of commercial mobile service may not receive universal service support under sections 214(e) and 254 of the Communications Act of 1934 (47 U.S.C. 214(e) and 254) for the provision of such service through the Lifeline program.

(c) LIMITATION ON AGGREGATE LEVEL OF SUPPORT FOR LIFELINE PROGRAM.—Beginning in fiscal year 2014, and each fiscal year thereafter, eligible telecommunications carriers shall receive, in the aggregate, in universal service support under section 254 of the Communications Act of 1934 (47 U.S.C. 254) for the provision of service through the Lifeline program, an amount that is not more than the amount that eligible telecommunications carriers received in universal service support under such section for the provision of service through the Lifeline program during fiscal year 2008.

SA 1128. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 309, between lines 8 and 9, insert the following:

SEC. 26___. WETLANDS CERTIFICATION AND DELINEATION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall revise and promulgate regulations to implement section 1222(a) of the Food Security Act of 1985 (16 U.S.C. 3822(a)).

(b) CONSIDERATION.—In promulgating the regulations described in subsection (a), the Secretary shall consider—

(1) any wetland delineated on a map by the Secretary during the period beginning November 29, 1990, and ending on December 3, 1996;

(2) any revision to the delineation described in paragraph (1) that was made as a

result of a final decision (including any subsequent appeal) and certified accordingly; and

(3) any revision to applicable procedures needed to ensure the use of the calculated average of annual levels of precipitation recorded on a farm during the period beginning on January 1, 1971, and ending on December 31, 2000.

SA 1129. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 308, after line 25, add the following:

(c) PROHIBITION ON EXCESSIVE PENALTIES.—Section 1221 of the Food Security Act of 1985 (16 U.S.C. 3821) is amended by adding at the end the following:

''(f) PROHIBITION ON EXCESSIVE PENALTIES.—The maximum penalty assessed against a person determined to have committed a violation under subsection (a) or ineligible under subsection (c) shall be an amount equal to the product obtained by multiplying—

''(1) the net quantity of acres of the specific wetland determined to be subject to noncompliance;

''(2) the average land rent for the applicable county for each relevant crop year, as determined by the National Agricultural Statistics Service; and

''(3) the number of crop years of determined noncompliance, not to exceed 3 crop years.''.

SA 1130. Mr. MANCHIN (for himself, Mr. BOOZMAN, and Mr. COATS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12_____. AGRICULTURAL DISCHARGES.

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

''(3) CERTAIN AGRICULTURAL DISCHARGES.—A permit shall not be required by the Administrator nor shall the Administrator require a State to require a permit under this Act for a routine agricultural discharge caused by runoff from any agricultural area that is not used for the concentrated confinement of animals or the storage or application of animal manure.''.

SA 1131. Mr. SANDERS (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table, as follows:

On page 1150, after line 15, add the following:

SEC. 12 ___. STUDY ON THE ECONOMIC IMPACTS OF EXTREME WEATHER EVENTS AND CLIMATE CHANGE.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall conduct regional studies of the economic and other risks and vulnerabilities due to extreme weather events and climate change on agriculture in the United States.

(b) REQUIREMENTS.—The studies under subsection (a) shall—

(1) build and expand on previous USDA studies, and updating those analyses based on the most current climate change modeling;

(2) characterize the economic and other risks due to changes in extreme weather events and climate change over the short-term and long-term, such periods defined as the Secretary determines to be appropriate.

(3) assess risks and vulnerabilities and the potential economic impacts of climate change and extreme weather on, a range of agricultural sectors important within each region, including for example, dairy, grain, meat and poultry, specialty crops (such as fruits, vegetables, wine, and maple syrup), forestry and forest products, and other agricultural products; and

(4) consider factors such as changes in the cost of feedstock, changes in fertility and productivity, vulnerability to disease, environmental degradation, and other relevant factors; and

(5) consider the potential economic impacts to rural economies resulting from direct impacts to agriculture, tourism, and other economic sectors on which rural, agricultural communities depend heavily;

(6) use a range of sources for purposes of analyzing the economic impacts, including observations from, and the experience of, agriculture producers.

(7) cooperate with Public and Land Grant Institutions within each region in carrying out these studies.

SA 1132. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, insert the following:

SEC. 11_____. NATIONAL DROUGHT COUNCIL AND DROUGHT PREPAREDNESS PLANS.

(a) DEFINITIONS.—In this section:

(1) COUNCIL.—The term ''Council'' means the National Drought Council established by this section.

(2) CRITICAL SERVICE PROVIDER.—The term ''critical service provider'' means an entity that provides—

(A) power;

(B) water, including water provided by an irrigation organization or facility;

(C) sewer services; or

(D) wastewater treatment.

(3) DROUGHT.—The term ''drought'' means a natural disaster that is caused by a deficiency in precipitation—

(A) that may lead to a deficiency in surface and subsurface water supplies, including rivers, streams, wetlands, ground water, soil moisture, reservoir supplies, lake levels, and snow pack; and

(B) that causes or may cause—

(i) substantial economic or social impacts; or

(ii) physical damage or injury to individuals, property, or the environment.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) INTERSTATE WATERSHED.—The term ''interstate watershed'' means a watershed that transcends State or tribal boundaries, or both.

(6) MEMBER.—The term ''member'', with respect to the National Drought Council, means—

(A) a member of the Council specified or appointed under this section; or

(B) the designee of a member of the Council.

(7) MITIGATION.—The term ''mitigation'' means a short- or long-term action, program, or policy that is implemented in advance of or during a drought to minimize any risks and impacts of drought.

(8) NEIGHBORING COUNTRY.—The term ''neighboring country'' means Canada and Mexico.

(9) STATE.—The term ''State'' means—

(A) the several States;

(B) the District of Columbia;

(C) American Samoa;

(D) Guam;

(E) the Commonwealth of the Northern Mariana Islands;

(F) the Commonwealth of Puerto Rico; and

(G) the United States Virgin Islands.

(10) TRIGGER.—The term ''trigger'' means the thresholds or criteria that must be satisfied before mitigation or emergency assistance may be provided to an area—

(A) in which drought is emerging; or

(B) that is experiencing a drought.

(11) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Agriculture for Natural Resources and Environment.

(12) WATERSHED.—

(A) IN GENERAL.—The term ''watershed'' means—

(i) a region or area with common hydrology;

(ii) an area drained by a waterway that drains into a lake or reservoir;

(iii) the total area above a given point on a stream that contributes water to the flow at that point; or

(iv) the topographic dividing line from which surface streams flow in 2 different directions.

(B) EXCLUSIONS.—The term ''watershed'' does not include an area or region that is larger than a river basin.

(13) WATERSHED GROUP.—The term ''watershed group'' means a group of individuals, formally recognized by the appropriate State or States, who represent the broad scope of relevant interests within a watershed and who work together in a collaborative manner to jointly plan the management of the natural resources contained within the watershed.

(b) NATIONAL DROUGHT COUNCIL.—

(1) ESTABLISHMENT.—There is established in the Office of the Secretary of Agriculture a council to be known as the ''National Drought Council''.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall be composed of—

(i) the Secretary (or the designee of the Secretary);

(ii) the Secretary of Commerce (or the designee of the Secretary of Commerce);

(iii) the Secretary of the Army (or the designee of the Secretary of the Army);

(iv) the Secretary of the Interior (or the designee of the Secretary of the Interior);

(v) the Director of the Federal Emergency Management Agency (or the designee of the Director);

(vi) the Administrator of the Environmental Protection Agency (or the designee of the Administrator);

(vii) 4 members appointed by the Secretary, in coordination with the National Governors Association, each of whom shall be the Governor of a State (or the designee of the Governor) and who collectively shall represent the geographic diversity of the United States;

(viii) 1 member appointed by the Secretary, in coordination with the National Association of Counties;

(ix) 1 member appointed by the Secretary, in coordination with the United States Conference of Mayors;

(x) 1 member appointed by the Secretary of the Interior, in coordination with Indian tribes, to represent the interests of tribal governments; and

(xi) 1 member appointed by the Secretary, in coordination with the National Association of Conservation Districts, to represent local soil and water conservation districts.

(B) DATE OF APPOINTMENT.—The appointment of each member of the Council shall be made not later than 120 days after the date of enactment of this Act.

(3) TERM; VACANCIES.—

(A) TERM.—A non-Federal member of the Council appointed under paragraph (2) shall be appointed for a term of 2 years.

(B) VACANCIES.—A vacancy on the Council—

(i) shall not affect the powers of the Council; and

(ii) shall be filled in the same manner as the original appointment was made.

(C) TERMS OF MEMBERS FILLING VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term of a member shall be appointed only for the remainder of that term.

(4) MEETINGS.—

(A) IN GENERAL.—The Council shall meet at the call of the co-chairs.

(B) FREQUENCY.—The Council shall meet at least semiannually.

(5) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number may hold hearings or conduct other business.

(6) COUNCIL LEADERSHIP.—

(A) IN GENERAL.—There shall be a Federal co-chair and non-Federal co-chair of the Council.

(B) APPOINTMENT.—

(i) FEDERAL CO-CHAIR.—The Secretary shall be Federal co-chair.

(ii) NON-FEDERAL CO-CHAIR.—The non-Federal members of the Council shall select, on a biannual basis, a non-Federal co-chair of the Council from among the members appointed under paragraph (2).

(7) DIRECTOR OF THE OFFICE.—

(A) IN GENERAL.—The Director of the Office shall serve as Secretary of the Council.

(B) DUTIES.—The Director of the Office shall serve the interests of all members of the Council.

(c) DUTIES OF THE COUNCIL.—

(1) IN GENERAL.—The Council shall—

(A) not later than 1 year after the date of the first meeting of the Council, develop a comprehensive National Drought Policy Action Plan that—

(i)(I) delineates and integrates responsibilities for activities relating to drought (including drought preparedness, mitigation, research, risk management, training, and emergency relief) among Federal agencies; and

(II) ensures that those activities are coordinated with the activities of the States, local governments, Indian tribes, and neighboring countries;

(ii) is consistent with—

(I) this Act and other applicable Federal laws; and

(II) the laws and policies of the States for water management;

(iii) is integrated with drought management programs of the States, Indian tribes, local governments, watershed groups, and private entities; and

(iv) avoids duplicating Federal, State, tribal, local, watershed, and private drought preparedness and monitoring programs in existence on the date of enactment of this Act;

(B) evaluate Federal drought-related programs in existence on the date of enactment of this Act and make recommendations to Congress and the President on means of eliminating—

(i) discrepancies between the goals of the programs and actual service delivery;

(ii) duplication among programs; and

(iii) any other circumstances that interfere with the effective operation of the programs;

(C) make recommendations to the President, Congress, and appropriate Federal agencies on—

(i) the establishment of common interagency triggers for authorizing Federal drought mitigation programs; and

(ii) improving the consistency and fairness of assistance among Federal drought relief programs;

(D) encourage and facilitate the development of drought preparedness plans under this Act, including establishing the guidelines under this section;

(E) based on a review of drought preparedness plans, develop and make available to the public drought planning models to reduce water resource conflicts relating to water conservation and droughts;

(F) develop and coordinate public awareness activities to provide the public with access to understandable and informative materials on drought, including—

(i) explanations of the causes of drought, the impacts of drought, and the damages from drought;

(ii) descriptions of the value and benefits of land stewardship to reduce the impacts of drought and to protect the environment;

(iii) clear instructions for appropriate responses to drought, including water conservation, water reuse, and detection and elimination of water leaks;

(iv) information on State and local laws applicable to drought; and

(v) opportunities for assistance to resource-dependent businesses and industries in times of drought; and

(G) establish operating procedures for the Council.

(2) CONSULTATION.—In carrying out this subsection, the Council shall consult with groups affected by drought emergencies.

(3) REPORTS TO CONGRESS.—

(A) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than 1 year after the date of the first meeting of the Council, and annually thereafter, the Council shall submit to Congress a report on the activities carried out under this section.

(ii) INCLUSIONS.—

(I) IN GENERAL.—The annual report shall include a summary of drought preparedness plans.

(II) INITIAL REPORT.—The initial report submitted under clause (i) shall include any recommendations of the Council.

(B) FINAL REPORT.—Not later than 7 years after the date of enactment of this Act, the Council shall submit to Congress a report that recommends—

(i) amendments to this section; and

(ii) whether the Council should continue.

(d) POWERS OF THE COUNCIL.—

(1) HEARINGS.—The Council may—

(A) hold hearings;

(B) meet and act at any time and place; and

(C) take any testimony and receive any evidence that the Council considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Council may obtain directly from any Federal agency any information that the Council considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—

(i) IN GENERAL.—Except as provided in clause (ii), on request of the Secretary or the non-Federal co-chair of the Council, the head of a Federal agency may provide information to the Council.

(ii) LIMITATION.—The head of a Federal agency shall not provide any information to the Council that the Federal agency head determines the disclosure of which may cause harm to national security interests.

(3) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other agencies of the Federal Government.

(4) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(e) COUNCIL PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Council who is not an officer or employee of the Federal Government shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Council who is an officer or employee of the United States shall serve without compensation in addition to the compensation received for services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—A member of the Council shall be allowed travel expenses at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Council.

(f) TERMINATION OF COUNCIL.—The Council shall terminate on September 30 of the eighth fiscal year following the date of enactment of this Act.

(g) EFFECT OF SECTION.—This section does not affect—

(1) the authority of a State to allocate quantities of water under the jurisdiction of the State; or

(2) any State water rights established as of the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the activities of the Council $2,000,000 for each of fiscal years 2014 through 2021.

SA 1133. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, strike lines 21 through 23 and insert the following:

forest materials.'';

(3) in paragraph (13) (as redesignated by paragraph (1))—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting ''to be used for the generation of renewable heat or electricity'' after ''materials''; and

(ii) in clause (i)—

(I) in subclause (II), by striking ''or'' at the end;

(II) in subclause (III), by inserting ''or'' at the end; and

(III) by inserting after subclause (III) the following:

''(IV) to generate usable heat or electricity;'';

(iii) in clause (iii), by striking ''in accordance with—'' and all that follows through the end of subitem (bb) and inserting ''in accordance with applicable law and land management plans; or''; and

(B) in subparagraph (B)(ii)—

(i) in subclause (III), by striking ''and'' at the end;

(ii) in subclause (IV), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(V) byproducts of the manufacture of pulp and paper.''; and

(4) by inserting after paragraph (13) (as redesignated by paragraph (1)) the following:

SA 1134. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 16___. PROHIBITION.

Notwithstanding any other provision of law, a producer on a farm that sells corn to an ethanol production facility shall not be eligible to receive any payment or benefit described in section 1001D(b)(1)(B) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(1)(B)) for that corn.

SA 1135. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122___. REPEAL OF RENEWABLE FUEL STANDARD.

Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

SA 1136. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 168, strike line 8 and insert the following:

Reform Act of 1996 (7 U.S.C. 7333).

''(v) A benefit from the renewable fuel program established under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) or any similar biofuel program, as determined by the Secretary.''.

SA 1137. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122___. REFORM OF RENEWABLE FUEL STANDARD.

(a) REVISED DEFINITION OF RENEWABLE FUEL.—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

''(J) RENEWABLE FUEL.—The term 'renewable fuel' means fuel that—

''(i) is produced from renewable biomass;

''(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

''(iii) beginning on January 1, 2016, is advanced biofuel.''.

(b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking ''16.55'' and inserting ''11.95'';

(B) by striking ''18.15'' and inserting ''8.55'';

(C) by striking ''20.5'' and inserting ''5.5'';

(D) by striking ''22.25'' and inserting ''7.25'';

(E) by striking ''24.0'' and inserting ''9.0'';

(F) by striking ''26.0'' and inserting ''11.0'';

(G) by striking ''28.0'' and inserting ''13.0'';

(H) by striking ''30.0'' and inserting ''15.0'';

(I) by striking ''33.0'' and inserting ''18.0''; and

(J) by striking ''36.0'' and inserting ''21.0'';

(2) in subclause (II)—

(A) in the matter preceding the table, by striking ''2022'' and inserting ''2015''; and

(B) in the table, by striking the items relating to calendars years 2016 through 2022;

(3) in subclause (III), in the matter preceding the table, by striking ''of the volume of advanced biofuel required under subclause (II)'' and inserting ''of the volume of advanced biofuel required for calendar years 2010 through 2015 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and of the volume of renewable fuel required for calendar years 2016 through 2022 under the subclause (I)''; and

(4) in subclause (IV), by inserting '', as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013'' after ''of the volume of advanced biofuel required under subclause (II)''.

(c) CONFORMING AMENDMENTS.—

(1) OTHER CALENDAR YEARS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking ''advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)'' and inserting ''cellulosic biofuel and biomass-based diesel'';

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) MODIFICATION OF GREENHOUSE GAS REDUCTION PERCENTAGES.—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking ''20, 50, or 60 percent reduction levels'' and inserting ''applicable percent reduction level''; and

(B) in subparagraph (F), by inserting ''(if applicable)'' after ''(2)(A)(i)''.

(3) WAIVERS.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting '', if that year is before 2016,'' before ''advanced biofuels''; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting '', if that year is before 2016,'' before ''advanced biofuels''.

(d) APPLICABILITY AND REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(2) REGULATIONS.—The Administrator of the Environmental Protection Agency shall—

(A) not later than 180 days after the date of enactment of this Act, promulgate regulations to carry out the amendments described in paragraph (1), including by amending existing regulations; and

(B) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

SA 1138. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122___. REFORM OF RENEWABLE FUEL STANDARD.

(a) REVISED DEFINITION OF RENEWABLE FUEL.—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

''(J) RENEWABLE FUEL.—The term 'renewable fuel' means fuel that—

''(i) is produced from renewable biomass;

''(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

''(iii) beginning on January 1, 2022, is advanced biofuel.''.

(b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking ''16.55'' and inserting ''15.17'';

(B) by striking ''18.15'' and inserting ''15.27'';

(C) by striking ''20.5'' and inserting ''16.0'';

(D) by striking ''22.25'' and inserting ''16.25'';

(E) by striking ''24.0'' and inserting ''16.5'';

(F) by striking ''26.0'' and inserting ''17.0'';

(G) by striking ''28.0'' and inserting ''17.5'';

(H) by striking ''30.0'' and inserting ''18.0'';

(I) by striking ''33.0'' and inserting ''19.5''; and

(J) by striking ''36.0'' and inserting ''21.0'';

(2) in subclause (II)—

(A) in the matter preceding the table, by striking ''2022'' and inserting ''2021''; and

(B) in the table, by striking the item relating to calendar year 2022;

(3) in subclause (III), in the matter preceding the table, by striking ''of the volume of advanced biofuel required under subclause (II)'' and inserting ''of the volume of advanced biofuel required for calendar years 2010 through 2021 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and of the volume of renewable fuel required for calendar year 2022 under subclause (I)''; and

(4) in subclause (IV), by inserting '', as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013'' after ''of the volume of advanced biofuel required under subclause (II)''.

(c) CONFORMING AMENDMENTS.—

(1) OTHER CALENDAR YEARS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking ''advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)'' and inserting ''cellulosic biofuel and biomass-based diesel'';

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) MODIFICATION OF GREENHOUSE GAS REDUCTION PERCENTAGES.—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking ''20, 50, or 60 percent reduction levels'' and inserting ''applicable percent reduction level''; and

(B) in subparagraph (F), by inserting ''(if applicable)'' after ''(2)(A)(i)''.

(3) WAIVERS.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting '', if that year is before 2022,'' before ''advanced biofuels''; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting '', if that year is before 2022,'' before ''advanced biofuels''.

(d) APPLICABILITY AND REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(2) REGULATIONS.—The Administrator of the Environmental Protection Agency shall—

(A) not later than 180 days after the date of enactment of this Act, promulgate regulations to carry out the amendments described in paragraph (1), including by amending existing regulations; and

(B) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

SA 1139. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122___. REFORM OF RENEWABLE FUEL STANDARD.

(a) REVISED DEFINITION OF RENEWABLE FUEL.—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

''(J) RENEWABLE FUEL.—The term 'renewable fuel' means fuel that—

''(i) is produced from renewable biomass;

''(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

''(iii) beginning on January 1, 2014, is advanced biofuel.''.

(b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking ''18.15'' and inserting ''3.75'';

(B) by striking ''20.5'' and inserting ''5.5'';

(C) by striking ''22.25'' and inserting ''7.25'';

(D) by striking ''24.0'' and inserting ''9.0'';

(E) by striking ''26.0'' and inserting ''11.0'';

(F) by striking ''28.0'' and inserting ''13.0'';

(G) by striking ''30.0'' and inserting ''15.0'';

(H) by striking ''33.0'' and inserting ''18.0''; and

(I) by striking ''36.0'' and inserting ''21.0'';

(2) in subclause (II)—

(A) in the matter preceding the table, by striking ''2022'' and inserting ''2013''; and

(B) in the table, by striking the items relating to calendars years 2014 through 2022;

(3) in subclause (III), in the matter preceding the table, by striking ''of the volume of advanced biofuel required under subclause (II)'' and inserting ''of the volume of advanced biofuel required for calendar years 2010 through 2013 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 , and of the volume of renewable fuel required for calendar years 2014 through 2022 under the subclause (I)''; and

(4) in subclause (IV), by inserting '', as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013'' after ''of the volume of advanced biofuel required under subclause (II)''.

(c) CONFORMING AMENDMENTS.—

(1) OTHER CALENDAR YEARS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking ''advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)'' and inserting ''cellulosic biofuel and biomass-based diesel'';

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) MODIFICATION OF GREENHOUSE GAS REDUCTION PERCENTAGES.—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking ''20, 50, or 60 percent reduction levels'' and inserting ''applicable percent reduction level''; and

(B) in subparagraph (F), by inserting ''(if applicable)'' after ''(2)(A)(i)''.

(3) WAIVERS.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting '', if that year is before 2014,'' before ''advanced biofuels''; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting '', if that year is before 2014,'' before ''advanced biofuels''.

(d) APPLICABILITY AND REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(2) REGULATIONS.—The Administrator of the Environmental Protection Agency shall—

(A) not later than 1 year after the date of enactment of this Act, promulgate regulations to carry out the amendments described in paragraph (1); and

(B) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

SA 1140. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Renewable Fuel Standard Reform

SEC. 12301. DEFINITION OF RENEWABLE FUEL.

(a) DEFINITION OF RENEWABLE FUEL.—

(1) IN GENERAL.—Section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)) is amended by striking subparagraph (J) and inserting the following:

''(J) RENEWABLE FUEL.—The term 'renewable fuel' means fuel that—

''(i) is produced from renewable biomass;

''(ii) is used to replace or reduce the quantity of fossil fuel present in a transportation fuel; and

''(iii) beginning on January 1, 2014, is advanced biofuel.''.

(2) CONFORMING AMENDMENT.—Section 211(o)(1)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B)(i)) is amended by striking ''renewable fuel'' and inserting ''fuel described in clauses (i) and (ii) of subparagraph (J)''.

(b) APPLICABLE VOLUMES.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended—

(1) in the table in subclause (I)—

(A) by striking ''18.15'' and inserting ''3.75'';

(B) by striking ''20.5'' and inserting ''5.5'';

(C) by striking ''22.25'' and inserting ''7.25'';

(D) by striking ''24.0'' and inserting ''9.0'';

(E) by striking ''26.0'' and inserting ''11.0'';

(F) by striking ''28.0'' and inserting ''13.0'';

(G) by striking ''30.0'' and inserting ''15.0'';

(H) by striking ''33.0'' and inserting ''18.0''; and

(I) by striking ''36.0'' and inserting ''21.0'';

(2) in subclause (II)—

(A) in the matter preceding the table, by striking ''2022'' and inserting ''2013''; and

(B) in the table, by striking the items relating to calendars years 2014 through 2022;

(3) in subclause (III), in the matter preceding the table, by striking ''of the volume of advanced biofuel required under subclause (II)'' and inserting ''of the volume of advanced biofuel required for calendar years 2010 through 2013 under subclause (II), as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, and of the volume of renewable fuel required for calendar years 2014 through 2022 under the subclause (I)''; and

(4) in subclause (IV), by inserting '', as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013'' after ''of the volume of advanced biofuel required under subclause (II)''.

(c) CONFORMING AMENDMENTS.—

(1) OTHER CALENDAR YEARS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(A) in clause (ii)(III), by striking ''advanced biofuels in each category (cellulosic biofuel and biomass-based diesel)'' and inserting ''cellulosic biofuel and biomass-based diesel'';

(B) by striking clause (iii); and

(C) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively.

(2) APPLICABLE PERCENT REDUCTION LEVEL.—Section 211(o)(4) of the Clean Air Act (42 U.S.C. 7545(o)(4)) is amended—

(A) in subparagraph (E), in the second sentence, by striking ''20, 50, or 60 percent reduction levels'' and inserting ''applicable percent reduction level''; and

(B) in subparagraph (F), by inserting ''(if applicable)'' after ''(2)(A)(i)''.

(3) WAIVERS.—Section 211(o)(7) of the Clean Air Act (42 U.S.C. 7545(o)(7)) is amended—

(A) in subparagraph (D)(i), in the second sentence, by inserting '', if that year is before 2014,'' before ''advanced biofuels''; and

(B) in subparagraph (E)(ii), in the second sentence, by inserting '', if that year is before 2014,'' before ''advanced biofuels''.

SEC. 12302. CELLULOSIC BIOFUEL REQUIREMENT BASED ON ACTUAL PRODUCTION.

(a) PROVISION OF ESTIMATE OF VOLUMES OF CELLULOSIC BIOFUEL.—Section 211(o)(3) of the Clean Air Act (42 U.S.C. 7545(o)(3)) is amended—

(1) in subparagraph (A), by striking ''Not later than'' and inserting the following:

''(i) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(ii) REQUIREMENTS.—

''(I) IN GENERAL.—In determining any estimate under clause (i), with respect to the following calendar year, of the projected volume of cellulosic biofuel production (as described in paragraph (7)(D)(i)), the Administrator of the Energy Information Administration shall—

''(aa) for each cellulosic biofuel production facility that is producing (and continues to produce) cellulosic biofuel during the period of January 1 through October 31 of the calendar year in which the estimate is made (in this clause referred to as the 'current calendar year')—

''(AA) determine the average monthly volume of cellulosic biofuel produced by the facility, based on the actual volume produced by such facility during the period; and

''(BB) based on that average monthly volume of production, determine the estimated annualized volume of cellulosic biofuel production for the facility for the current calendar year; and

''(bb) for each cellulosic biofuel production facility that begins initial production of (and continues to produce) cellulosic biofuel after January 1 of the current calendar year—

''(AA) determine the average monthly volume of cellulosic biofuel produced by the facility, based on the actual volume produced by the facility during the period beginning on the date of initial production of cellulosic biofuel by the facility and ending on October 31 of the current calendar year; and

''(BB) based on that average monthly volume of production, determine the estimated

annualized volume of cellulosic biofuel production for the facility for the current calendar year.

''(II) CALCULATION.—An estimate under clause (i) with respect to the following calendar year of the projected volume of cellulosic biofuel production (as described in paragraph (7)(D)(i)), shall be equal to the total of the estimated annual volumes of cellulosic biofuel production for all cellulosic biofuel production facilities described in subclause (I) for the current calendar year.''.

(b) REDUCTION IN APPLICABLE VOLUME.—Section 211(o)(7)(D)(i) of the Clean Air Act (42 U.S.C. 7545(o)(7)(D)(i)) (as amended by section 12301(c)(3)(A)) is amended—

(1) in the first sentence, by striking ''based on the'' and inserting ''using the exact''; and

(2) in the second sentence—

(A) by striking ''may also reduce'' and inserting ''shall also reduce''; and

(B) by striking ''by the same or a lesser volume'' and inserting ''by the same volume''.

SEC. 12303. REDUCTION IN APPLICABLE VOLUME OF RENEWABLE FUEL CORRESPONDING TO CERTAIN REDUCTIONS IN APPLICABLE VOLUME OF BIOMASS-BASED DIESEL.

Section 211(o)(7)(E)(ii) of the Clean Air Act (42 U.S.C. 7545(o)(7)(E)(ii)) (as amended by section 12301(c)(3)(B)) is amended in the second sentence by striking ''may also reduce'' and inserting ''shall reduce''.

SEC. 12304. APPLICABILITY AND REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by sections 12301 through 12303 to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) shall apply only with respect to calendar year 2014 and each calendar year thereafter.

(b) REGULATIONS.—The Administrator of the Environmental Protection Agency shall—

(1) not later than 1 year after the date of enactment of this Act, promulgate regulations to carry out the amendments described in subsection (a); and

(2) take any steps necessary to ensure those amendments are carried out for calendar year 2014 and each calendar year thereafter.

SEC. 12305. PROHIBITION OF GASOLINE BLENDS WITH GREATER THAN 10-VOLUME-PERCENT ETHANOL.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not, including by granting a waiver under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), authorize or otherwise allow the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol.

SEC. 12306. PROHIBITION OF WAIVERS.

(a) IN GENERAL.—Any waiver granted under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) before the date of enactment of this Act that allows the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol for use in motor vehicles shall have no force or effect.

(b) CERTAIN WAIVERS.—The waivers described in subsection (a) include the following:

(1) The waiver entitled, ''Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator'', 75 Fed. Reg. 68094 (November 4, 2010).

(2) The waiver entitled, ''Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator'', 76 Fed. Reg. 4662 (January 26, 2011).

SEC. 12307. MISFUELING RULE.

The portions of the rule entitled, ''Regulation to Mitigate the Misfueling of Vehicles and Engines with Gasoline Containing Greater Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs'', 76 Fed. Reg. 44406 (July 25, 2011) to mitigate misfueling shall have no force and effect beginning on the date that is 60 days after the date of enactment of this Act.

SA 1141. Mr. COBURN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12213. SMALL BUSINESS FAIRNESS AND REGULATORY TRANSPARENCY.

Section 609(d) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) the Department of Agriculture.''.

SA 1142. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 299, line 18, strike ''May 1, 2013'' and insert ''the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013''.

On page 306, strike lines 12 through 16 and insert the following:

''(A)(i) Subject to clause (ii), in the case of wetland that the Secretary determines was converted after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and continues to be

Beginning on page 306, strike line 21 and all that follows through page 307, line 3.

On page 307, line 4, strike ''for'' and insert ''For''.

On page 307, strike lines 13 through 18, and insert the following:

''(B) In the case of a wetland that the Secretary determines was converted prior to the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, ineligibility under this subsection shall not apply.

On page 307, line 19, strike ''(C)'' and insert ''(D)''.

SA 1143. Mr. REID (for Ms. HIRONO) proposed an amendment to the resolution S. Res. 129, recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; as follows:

In the fifth whereas clause of the preamble, strike ''nearly 6 percent'' and insert ''approximately 5.5 percent and 0.4 percent, respectively.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 23, 2013, at 11 a.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 23, 2013, at 9 a.m., in room 406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m., to hold a hearing entitled, ''United States-European Union Economic Relations: Crisis and Opportunity.''

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

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 23, 2013, at 10:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Nominations.''

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

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 23, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Subcommittee on the Efficiency and Effectiveness of Federal Programs and the

Federal Workforce of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 23, 2013, at 10 a.m. to conduct a hearing entitled, ''Improving Federal Health Care in Rural America: Developing the Workforce and Building Partnerships.''

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

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider these nominations: Calendar Nos. 93, 94, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, with the exception of COL Joseph J. Heck, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, and 140, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy, that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid on the table with no intervening action or debate, that no further motions be in order to any of the nominations, any related statements be printed in the Record; and President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Deborah Kay Jones, of New Mexico, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Libya.

James Knight, of Alabama, Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

THE JUDICIARY

Michael Kenny O'Keefe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. James E. McClain

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. David L. Goldfein

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Robert C. Bolton

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 9335:

To be brigadier general

Col. Andrew P. Armacost

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. John F. Wharton

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Gabriel Troiano

The following named officer for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. Jeffrey B. Clark

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. James A. Adkins

To be brigadier general

Col. James D. Campbell

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Colonel Wayne L. Black
Colonel Michael K. Hanifan
Colonel Daniel M. Krumrei
Colonel Robert E. Windham, Jr.

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brigadier General Mark E. Anderson
Brigadier General Julie A. Bentz
Brigadier General Courtney P. Carr
Brigadier General Daniel R. Hokanson
Brigadier General Francis S. Laudano, III
Brigadier General Scott D. Legwold
Brigadier General Roger L. McClellan
Brigadier General Timothy M. McKeithen
Brigadier General Michael D. Navrkal
Brigadier General Bruce E. Oliveira
Brigadier General Charles E. Petrarca, Jr.
Brigadier General Kenneth C. Roberts
Brigadier General William F. Roy
Brigadier General William L. Smith

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Colonel Steven R. Beach
Colonel Kenneth A. Beard
Colonel Fred C. Bolton
Colonel Michael J. Bouchard
Colonel Gregory S. Bowen
Colonel Mark D. Brackney
Colonel John E. Burk
Colonel Christopher M. Burns
Colonel Sean M. Casey
Colonel Russell A. Crane
Colonel Richard H. Dahlman
Colonel Marc Ferraro
Colonel Robert A. Fode
Colonel Christopher J. Fowler
Colonel Paul F. Griffin
Colonel Gerald E. Hadley
Colonel Patrick M. Hamilton
Colonel William M. Hart
Colonel Robert T. Herbert
Colonel Marvin T. Hunt
Colonel Charles T. Jones
Colonel Hunt W. Kerrigan
Colonel John F. King
Colonel Dirk R. Kloss
Colonel Jeffrey P. Kramer
Colonel Gordon D. Kuntz
Colonel Masaki G. Kuwana, Jr.
Colonel Donald P. Laucirica
Colonel Mark S. Lovejoy
Colonel Mark A. Lumpkin
Colonel Robert K. Lytle
Colonel Tammy J. Maas
Colonel Francis B. Magurn, II
Colonel Mark G. Malanka
Colonel Thomas R. McCune
Colonel Francis M. McGinn
Colonel Michael D. Merritt
Colonel Richard J. Noriega
Colonel Robert D. Pasqualucci
Colonel Val L. Peterson
Colonel Christopher J. Petty
Colonel John M. Rhodes
Colonel Scott H. Schofield
Colonel Linda L. Singh
Colonel Danny K. Speigner
Colonel Bryan E. Suntheimer
Colonel Michael A. Sutton
Colonel Steven A. Tabor
Colonel Gregory A. Thingvold
Colonel Michael C. Thompson
Colonel Kirk E. Vanpelt
Colonel William A. Ward
Colonel Steven R. Watt
Colonel Ronald P. Welch
Colonel David B. Wiles
Colonel Giselle M. Wilz
Colonel James P. Wong
Colonel Jerry L. Wood
Colonel Gary S. Yaple

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brigadier General Louis H. Guernsey, Jr.
Brigadier General Kenneth L. Reiner

To be brigadier general

Colonel Stephen G. Kent
Colonel Juan A. Rivera

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Richard J. Torres

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Michael Dillard

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Donald E. Jackson, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. William T. Grisoli

The following named officer for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. John M. Cho

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Brian E. Alvin

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General William F. Duffy
Brigadier General Ronald E. Dziedzicki
Brigadier General Mark T. McQueen
Brigadier General Lucas N. Polakowski
Brigadier General Ricky L. Waddell

To be brigadier general

Colonel Steven W. Ainsworth
Colonel Ronald A. Bassford
Colonel Jose R. Burgos
Colonel John E. Cardwell
Colonel Daniel J. Christian
Colonel John J. Elam
Colonel Bruce E. Hackett
Colonel Thomas J. Kallman
Colonel William B. Mason
Colonel Kenneth H. Moore
Colonel Thomas T. Murray
Colonel Michael C. O'Guinn
Colonel Miyako N. Schanely

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Read Adm. Terry J. Benedict

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. (1h) Joseph W. Rixey

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Captain John W.V. Ailes
Captain Babette Bolivar
Captain Daryl L. Caudle
Captain Kyle J. Cozad
Captain Randy B. Crites
Captain Daniel H. Fillion
Captain Lisa M. Franchetti
Captain Marcus A. Hitchcock
Captain Thomas J. Kearney
Captain Roy J. Kelley
Captain James T. Loeblein
Captain Brian E. Luther
Captain William R. Merz
Captain Michael T. Moran
Captain Christopher J. Murray
Captain John B. Nowell, Jr.
Captain Timothy G. Szymanski
Captain Richard L. Williams, Jr.

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Timothy J. White

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Nancy A. Norton

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Robert D. Sharp

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Louis V. Cariello

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Mark I. Fox

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Michelle J. Howard

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Ted N. Branch

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Sean A. Pybus

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Paul A. Grosklags

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Scott H. Swift

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert R. Ruark

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Glenn M. Walters

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN349 AIR FORCE nomination of Matthew J. Gervais, which was received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN429 AIR FORCE nomination of Bradly A. Carlson, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN430–1 AIR FORCE nominations (118) beginning MICHAEL LUCAS AHMANN, and ending BERNARD JOHN YOSTEN, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

IN THE ARMY

PN226 ARMY nominations (556) beginning JAMES ACEVEDO, and ending D011666, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN227 ARMY nominations (600) beginning GARLAND A. ADKINS, III, and ending G010188, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN228 ARMY nominations (1007) beginning STEVEN J. ACKERSON, and ending G010128, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN336 ARMY nomination of Michael B. Moore, which was received by the Senate and appeared in the Congressional Record of April 18, 2013.

PN350 ARMY nominations (5) beginning THOMAS G. BEHLING, and ending RAYMOND G. STRAWBRIDGE, which nominations were received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN431 ARMY nomination of Shercoda G. Smaw, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN432 ARMY nomination of Carl N. Soffler, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN433 ARMY nomination of Owen B. Mohn, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN434 ARMY nominations (2) beginning CARMELO N. OTEROSANTIAGO, and ending JOHN H. SEOK, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN435 ARMY nominations (2) beginning Brent E. Harvey, and ending Joohyun A. Kim, which norninations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN436 ARMY nominations (9) beginning JERRY M. ANDERSON, and ending MAUREEN H. WEIGL, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN437 ARMY nominations (16) beginning DENNIS R. BELL, and ending KENT J. VINCE, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN438 ARMY nominations (26) beginning DAVID W. ADMIRE, and ending D006281, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN439 ARMY nominations (32) beginning CHRISTOPHER G. ARCHER, and ending D011779, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN440 ARMY nominations (86) beginning JAMES A. ADAMEC, and ending VANESSA

WORSHAM, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN441 ARMY nominations (105) beginning EDWARD P.C. AGER, and ending JOHN P. ZOLL, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

IN THE MARINE CORPS

PN89 MARINE CORPS nomination of Darren M. Gallagher, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN90 MARINE CORPS nomination of Dusty C. Edwards, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN95 MARINE CORPS nomination of Sal L. Leblanc, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN96 MARINE CORPS nomination of Mauro Morales, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN113 MARINE CORPS nominations (232) beginning JESSICA L. ACOSTA, and ending MATTHEW S. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN114 MARINE CORPS nominations (281) beginning RICO ACOSTA, and ending ANDREW J. ZETTS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN454 MARINE CORPS nomination of Randolph T. Page, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

IN THE NAVY

PN231 NAVY nomination of Jeremy J. Aujero, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN283 NAVY nomination of John P. Newton, Jr., which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN284 NAVY nomination of Daniel W. Testa, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN315 NAVY nomination of Kevin J. Parker, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN326 NAVY nomination of Maria V. Navarro, which was received by the Senate and appeared in the Congressional Record of April 15, 2013.

PN327 NAVY nomination of Shane G. Harris, which was received by the Senate and appeared in the Congressional Record of April 15, 2013.

PN351 NAVY nomination of Latanya A. Oneal, which was received by the Senate and appeared in the Congressional Record of April 23, 2013.

PN400 NAVY nominations (3) beginning STEPHEN J. LEPP, and ending JOHN C. RUDD, which nominations were received by the Senate and appeared in the Congressional Record of May 6, 2013.

PN401 NAVY nomination of Sarah E. Niles, which was received by the Senate and appeared in the Congressional Record of May 6, 2013.

PN402 NAVY nomination of Richard Diaz, which was received by the Senate and appeared in the Congressional Record of May 6, 2013.

PN442 NAVY nomination of Tanya Wong, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN443 NAVY nomination of Karen R. Dallas, which was received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN444 NAVY nominations (2) beginning Ronald G. Oswald, and ending Nikita Tihonov, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

PN450 NAVY nominations (19) beginning CRAIG S. COLEMAN, and ending WILLIAM R. VOLK, which nominations were received by the Senate and appeared in the Congressional Record of May 16, 2013.

NOMINATION OF MARK A. BARNETT TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE

NOMINATION OF CLAIRE R. KELLY TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE

Mr. REID. I ask unanimous consent the Senate proceed to consider Calendar Nos. 11 and 12; that the Senate proceed to vote on the nominations listed with no intervening action or debate, the motions to reconsider be considered made and laid upon the table, with no intervening debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD, and President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the nominations.

The assistant legislative clerk read the nomination of Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade, and the nomination of Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade.

Mr. LEAHY. Mr. President, as we vote today on two nominations to the Court of International Trade, I want to note that this week we reached a milestone. It is 5 months into President Obama's second term, and we have just now reached the same number of circuit and district confirmations that President George H.W. Bush achieved in his 4 years as President. Of course, we remain nearly 20 confirmations behind the pace we set when President George W. Bush was in office. While some have argued that this is because President Obama has not made enough nominations, the fact is that he has sent up more district nominees at this point in his presidency than President George W. Bush had at the same point. The reason the Senate confirmations are lagging behind is because Senate Republicans have engaged in unprecedented obstruction of district court nominees. At this point in 2005, over 97 percent of President Bush's district nominees had been confirmed, but just 86 percent of President Obama's have been confirmed.

Today's vote on Mark Barnett is also a milestone of a sort. He was one of the 11 judicial nominees who were stalled at the end of last year because Senate Republicans refused to allow him a vote. We are approaching the Memorial Day recess and the Senate is still working on nominations that could and should have been completed last year. These unnecessary delays on confirmations are bad for the Senate, bad for our Federal courts, and bad for the American people.

After today's votes, there will be another seven nominees pending on the Executive Calendar, and all but one were reported unanimously by the Judiciary Committee. There is no reason to further delay action on these nominees: We should follow Senate tradition and vote on all of them before the recess. Nitza Quinones Alejandro, Luis Restrepo, Jeffrey Schmehl, Kenneth Gonzales, Gregory Phillips, Ray Chen, and Jennifer Dorsey are awaiting confirmation.

These nominees would fill important vacancies. For example, three of these nominees would fill vacancies in the Eastern District of Pennsylvania, where there are seven current vacancies. These are vacancies we need to fill, and, since the nominees are supported by every Republican on the Judiciary Committee, as well as their home State Republican Senator, there is no reason not to vote on them today.

Mark Barnett is currently the Deputy Chief Counsel in the U.S. Department of Commerce, Office of Chief Counsel for Import Administration, where he has worked since 1995. From 2008 to 2009, he was on detail to the U.S. House Committee on Ways and Means, Subcommittee on Trade. Prior to his government service, Mr. Barnett was an associate in the Washington, DC office of Steptoe & Johnson.

Claire Kelly is a professor of law at Brooklyn Law School, where she teaches classes on international trade, international business law, and administrative law. Prior to entering academia, she spent 4 years as an associate and 3 years as a consultant specializing in customs and trade law at the law firm Coudert Brothers in New York City.

I congratulate both nominees. Nominations to the Court of International Trade have historically been noncontroversial and have been moved quickly by the full Senate. The most recent confirmation to that court came less than a month after the nominee had been reported, so it is unfortunate that Mark Barnett and Claire Kelly have been unnecessarily stalled for more than 3 months.

Earlier this week I placed in the RECORD a Wall Street Journal article titled ''Open Judgeships Show D.C. Dysfunction.'' I, again, urge Senate Republicans to work in a bipartisan way and show that the Senate can make real progress. All Senate Democrats are ready to vote on all these judicial nominees.

The PRESIDING OFFICER. If there is no further debate on the nomination, the question is, Will the Senate advise

and consent to the nomination of Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade?

The nomination was confirmed.

The PRESIDING OFFICER. If there is no further debate on the nomination, the question is, Will the Senate advise and consent to the nomination of Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade?

The nomination was confirmed.

LEGISLATIVE SESSION

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

ASIAN/PACIFIC AMERICAN HERITAGE MONTH

Mr. REID. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 129 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 129) recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the Hirono amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motion to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 129) was agreed to.

The amendment (No. 1143) was agreed to, as follows:

In the fifth whereas clause of the preamble, strike ''nearly 6 percent'' and insert ''approximately 5.5 percent and 0.4 percent, respectively,''.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 129

Whereas the United States joins together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian-American and Pacific Islander community is an inherently diverse population comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian-American population grew faster than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, which is a growth rate 4 times faster than that of the total population of the United States;

Whereas the 2010 decennial census estimated that there are approximately 17,300,000 residents of the United States who identify as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up approximately 5.5 percent and 0.4 percent, respectively, of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas 2013 marks 70 years since the repeal of the Act of May 5, 1892 (27 Stat. 25, chapter 60) (commonly known as the ''Geary Act'' or the ''Chinese Exclusion Act''), and 25 years since the passage of the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) that granted reparations to Japanese Americans interned during World War II, both cases in which Congress acted to address discriminatory laws that targeted people of Asian descent;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas, in 2013, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 40 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas, in 2013, Asian Americans and Pacific Islanders are serving in State legislatures across the United States in record numbers, including in the States of Alaska, Arizona, California, Connecticut, Colorado, Georgia, Hawaii, Idaho, Maryland, Massachusetts, New York, Pennsylvania, Texas, Utah, Vermont, Virginia, and Washington;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders more than doubled between 2009 and 2013, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high caliber Asian-American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian-American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

AUTHORIZING DOCUMENT PRODUCTION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 158.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 158) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Government Affairs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has received a request from a Federal agency seeking access to records that the subcommittee obtained during its recent review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan.

This resolution would authorize the chairman and ranking minority member of the Permanent Subcommittee on Investigations, acting jointly, to provide records, obtained by the Subcommittee in the course of its review, in response to this request and requests from other government entities and officials with a legitimate need for the records.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 158) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Con. Res. 17.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 17) providing for a conditional adjournment or the recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 17) was agreed to.

(The concurrent resolution is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURES READ THE FIRST TIME—H.R. 3 AND H.R. 271

Mr. REID. Mr. President, I am told there are two bills at the desk. If that is the case, I ask for their first reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL Pipeline, and for other purposes.

A bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

Mr. REID. I now ask for a second reading and object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, after consultation with the Republican leader, pursuant to Public Law 93–415, as amended by Public Law 102–586, announces the appointment of the following individual to the Coordinating Council on Juvenile Justice and Delinquency Prevention: The Honorable Maura Corrigan of Michigan, vice Steven Jones.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, May 24, through Monday, June 3, Senators LEVIN and ROCKEFELLER be authorized to sign any duly enrolled bills or joint resolutions.

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

REPORTING AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Tuesday, May 28, from 10 a.m. to noon.

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

APPOINTMENT AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore of the Senate, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

ORDERS FOR FRIDAY, MAY 24, 2013 THROUGH MONDAY, JUNE 3, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to convene for pro forma sessions only with no business conducted on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, May 24, at 12:30 p.m.; Tuesday, May 28, at 12:00 p.m., and Friday, May 31, at 12 p.m.; and that the Senate adjourn on Friday, May 31, until 2 p.m. on Monday, June 3, 2013, unless the Senate receives a message from the House that it has adopted S. Con. Res. 17, the adjournment resolution, and that if the Senate receives such a message, the Senate adjourn until 2 p.m. on Monday, June 3, 2013; that on Monday, following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate be in a period of morning business until 4 p.m. with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume consideration of the farm bill, S. 954.

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

PROGRAM

Mr. REID. Mr. President, Senator STABENOW and Senator COCHRAN have arranged two votes that will begin on Monday, June 3, at 5:30.

CONDITIONAL ADJOURNMENT UNTIL FRIDAY, MAY 24, AT 12:30 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:33 p.m., conditionally adjourned until Friday, May 24, 2013, at 12:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

LANDYA B. MCCAFFERTY, OF NEW HAMPSHIRE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE, VICE STEVEN J. MCAULIFFE, RETIRED.

BRIAN MORRIS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE SAM E. HADDON, RETIRED.

SUSAN P. WATTERS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE RICHARD F. CEBULL, RETIRED.

DEPARTMENT OF JUSTICE

ZACHARY THOMAS FARDON, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE PATRICK J. FITZGERALD, TERM EXPIRED.

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MATTHEW D. LOWE, OF THE DISTRICT OF COLUMBIA
MELISSA JO GARZA, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CHRISTIAN CHARETTE, OF FLORIDA
CYNTHIA ANNE EHRLICH, OF CALIFORNIA
ROGER CHANCE SULLIVAN, OF WASHINGTON

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JUANITA LUCIA AGUIRRE, OF TEXAS
MICHAEL AHN, OF CALIFORNIA
REBEKAH DAVIS AHRENS, OF THE DISTRICT OF COLUMBIA
RYAN AIKEN, OF UTAH
R. ANDREW ALLEN, OF VIRGINIA
NAFEESAH ALLEN, OF NEW JERSEY
NATALIA ALMAGUER, OF FLORIDA
MAYRA ALEJANDRA ALVARADO TORRES, OF CALIFORNIA
MOLLY MCKNIGHT AMADOR, OF TENNESSEE
KRISTER BERNT ANDERSON, OF MARYLAND
REBECCA ARCHER–KNEPPER, OF VIRGINIA
JOHN S. ARMIGER, OF COLORADO
BRIAN P. ASMUS, OF FLORIDA
WILLIAM P. ASTILLERO, OF NEW JERSEY
KARA B. BABROWSKI, OF FLORIDA
ZACHARY BAILEY, OF MARYLAND
JUDITH E. BAKER, OF NEW HAMPSHIRE
TERESA SUSAN BALL, OF TENNESSEE
DAWN ELIZABETH BEAUPAIN, OF FLORIDA
ESTHER FALCON BELL, OF RHODE ISLAND
JESSICA ERIN BERLOW, OF FLORIDA
VIRGINIA ELEANOR BLAKEMAN, OF NEW YORK
CHELAN BLISS, OF WASHINGTON
AJA CITTRECE BONSU, OF TEXAS
ANTHONY JUNG BONVILLE, OF TEXAS
VIRGILE GEORGES BORDERIES, OF CALIFORNIA
ASHLEY CHANTÉL BORDNER, OF PENNSYLVANIA
DAVID SEAN BOXER, OF CALIFORNIA
ANNE BRAGHETTA, OF CALIFORNIA
VIRGINIA CLAIRE BREEDLOVE, OF CALIFORNIA
BRIGETTE BUCHET, OF MARYLAND
RAVI FRANKLIN BUCK, OF MISSOURI
PETER BURBA, OF CALIFORNIA
MATTHEW A.BUSHELL, OF CONNECTICUT
WILLIAM A. CAMPBELL, OF WISCONSIN
CARINA R. CANAAN, OF FLORIDA
NATALIA DEL PILAR CAPEL, OF FLORIDA
ALYSSA M. CARALLA, OF GEORGIA
OMAR CARDENTEY, OF FLORIDA
MARCUS BLAIR CARPENTER, OF THE DISTRICT OF COLUMBIA
DANIEL C. CARROLL, OF HAWAII
MELISSA ANN RHODES CARTER, OF ARKANSAS
ANDREW NICHOLAS CARUSO, OF VIRGINIA
MICHAEL PATRICK CASEY, OF VIRGINIA
BETH M. CHESTERMAN, OF TEXAS
JONATHAN B. CHESTNUT, OF GEORGIA
SARAH JANE CIACCIA, OF TENNESSEE
ERIN JORDAN CLANCY, OF CALIFORNIA
TRAVIS JOHN COBERLY, OF KANSAS
JACLYN ANNE COLE, OF MARYLAND
DESIREE MICHELLE CORMIER, OF CALIFORNIA
CHRISTOPHER A. CRAWFORD, OF UTAH
CHRISTOPHER B. CREAGHE, OF COLORADO
ROBIN SLOAN CROMER, OF SOUTH CAROLINA
JUAN C. CRUZ, OF FLORIDA
GAETAN WILLIAM DAMBERG–OTT, OF NEW YORK
JESSICA RENEE DANCEL, OF COLORADO
SCOTT B. DARGUS, OF WASHINGTON
PETER JOHN DAVIDIAN, OF OHIO
JUSTIN E. DAVIS, OF GEORGIA
NEIL MICHAEL DIBIASE, OF FLORIDA
TRENTON BROWN DOUTHETT, OF OHIO
SADIE ELEN DWORAK, OF NEW HAMPSHIRE
JASON DYER, OF NEW MEXICO
CHRISTOPHER MICHAEL ELMS, OF NEW YORK
STEPHEN J. ESTE, OF TEXAS
MARCUS GEORGE FALION, OF TENNESSEE
JOHANNA L. FERNANDO, OF TEXAS
JOSEPH ANTON FETTE, OF VIRGINIA
KYLE FIELDING, OF WASHINGTON
ERIK T. FINCH, OF TEXAS
JESSE KYLE FINKEL, OF THE DISTRICT OF COLUMBIA
COLIN W. FISHWICK, OF WASHINGTON
JOAN H. FLYNN, OF VIRGINIA
PHILIP LOWELL FOLKEMER, OF MARYLAND
NICOLE LOKOMAIKA'I KIKUE PROBST FOX, OF HAWAII
MATTHEW A. FULLERTON, OF MARYLAND
AARON ELLIOTT GARFIELD, OF CALIFORNIA
GERALDINE B. GASSAM, OF LOUISIANA
JOSEPH GIORDONO–SCHOLZ, OF CALIFORNIA
ANGELA CARMEN GJERTSON, OF TENNESSEE
SARAH ELIZABETH GJORGJIJEVSKI, OF CALIFORNIA
CATHRYN MARGARET GLEASMAN, OF TEXAS
SAMUEL EVERETT GOFFMAN, OF ILLINOIS
HOLLYN J. GREEN, OF MASSACHUSETTS
CATHERINE PHYLLIS GRIFFITH, OF VIRGINIA
PRISCILLA GUZMAN, OF TEXAS
JAMES J. HAGENGRUBER, OF WASHINGTON

LAURA JANE HAMMOND, OF MINNESOTA
CHERYL HARRIS, OF VIRGINIA
DANIEL ROSS HARRIS, OF CALIFORNIA
NICHOLAS R. HARRIS, OF VIRGINIA
JANEL MARGARET HEIRD, OF MICHIGAN
PEPIJN M. HELGERS, OF NEW YORK
PATRICIA ADRIENNE HILL, OF MASSACHUSETTS
LAUREN D. HOLMES, OF NORTH CAROLINA
WILLIAM N. HOLTON, JR., OF CALIFORNIA
VERONICA HONS–OLIVER, OF FLORIDA
KATHLEEN INGRID HOSIE, OF THE VIRGIN ISLANDS
DONNA J. HUSS, OF INDIANA
MOUNIR E. IBRAHIM, OF NEW YORK
AMENAGHAMWON IYI–EWEKA, OF WISCONSIN
DANA MARIE JEA, OF VIRGINIA
JENNIFER JENSEN, OF CALIFORNIA
MATTHEW B. JONES, OF VIRGINIA
RYAN D. KARNES, OF WASHINGTON
JOANNA TRACY KATZMAN, OF NEW JERSEY
JENNIFER ANNE KELLEY, OF FLORIDA
CRAIG S. KENNEDY, OF WASHINGTON
JANET MARIE KENNEDY, OF FLORIDA
MORGAN WHITMIRE KENNEDY, OF THE DISTRICT OF COLUMBIA
WALTER ANTHONY KERR, OF CONNECTICUT
LAWRENCE J. KORB, JR., OF VIRGINIA
LORRAINE JEAN KRAMER, OF VIRGINIA
JACK C. LAMBERT, OF OREGON
BRENT JOSEPH LAROSA, OF MARYLAND
ELIZABETH E. A. LEE, OF WEST VIRGINIA
ALEXI LEFEVRE, OF FLORIDA
SCOTT HAMILTON LINTON, OF COLORADO
JONATHAN L. LOW, OF THE DISTRICT OF COLUMBIA
W. GARY LOWMAN, JR., OF FLORIDA
SCOTT C. LUEDERS, OF FLORIDA
AMANDA LUGO, OF TEXAS
IAN ROBERT MACKENZIE, OF THE DISTRICT OF COLUMBIA
ERIN RUTH MAI, OF VIRGINIA
NAVEED AHMED MALIK, OF TEXAS
MATTHEW R. MALOY, OF MONTANA
ARYANI ELISABETH MANRING, OF PENNSYLVANIA
NICHOLAS B. MANSKE, OF WISCONSIN
TARA L. MARIA, OF VIRGINIA
IZAAK MARTIN, OF WASHINGTON
JUAN D. MARTINEZ, OF NEW YORK
LAUREN D. MATACK, OF CALIFORNIA
TRISHITA MAULA, OF NEW YORK
KELLY JEAN MCANERNEY, OF PENNSYLVANIA
JAMES PATRICK MCCORMICK, OF ILLINOIS
JOHN B. MCDANIEL, OF TEXAS
GREGORY G. MCELWAIN, OF NEW MEXICO
KELLY A. MCGUIRE, OF TEXAS
RYAN EDWARD MCKEAN, OF WISCONSIN
GREGORY MEIER, OF MARYLAND
ROBERT E. MELVIN, OF TEXAS
MATAN MEYER, OF FLORIDA
AYSA MATTHEW MILLER, OF THE DISTRICT OF COLUMBIA
BEAU JUSTIN MILLER, OF MICHIGAN
BENJAMIN J. MILLS, OF NEW MEXICO
SEAN PATRICK MOFFATT, OF NEW YORK
JEREMY JASON MONKS, OF VIRGINIA
NAVARRO MOORE, OF FLORIDA
PATRICIA RENEE MORALES, OF TEXAS
ROBERT E. MORGAN, OF TEXAS
CHAD WILLIAM MORRIS, OF COLORADO
STEPHEN MRAZ, OF FLORIDA
MILESSA N. MUCHMORE–LOWRIE, OF TEXAS
CHARLES VINCENT MURPHY, OF CALIFORNIA
W. MARC MURRI, OF UTAH
KATHERINE MUSGROVE KETCHUM, OF KANSAS
MARK ROBERT NAYLOR, OF TEXAS
PATRICIA NEARY, OF VIRGINIA
LINDA A. NEILAN, OF NEW JERSEY
THOMAS ANDREW NIBLOCK, OF IOWA
JOHN DAVID NORDLANDER, OF COLORADO
ELIZABETH NORMAN, OF WASHINGTON
FREDERICK NICHOLAS NOYES, OF TEXAS
AUTUMN K. OAKLEY, OF WASHINGTON
ELIZABETH CURRAN O'ROURKE, OF ILLINOIS
ALEXANDER R. ORR, OF NEW YORK
MICHELLE R. OSADCZUK, OF FLORIDA
ANDREW J. PARTIN, OF NEW HAMPSHIRE
MARY LILLIAN PELLEGRINI, OF NEW HAMPSHIRE
XIXALA SANDRA PEREZ, OF VIRGINIA
LISA MARIE PETZOLD, OF NEW YORK
JULIAN I. PHILLIPPI, OF OHIO
CAITLIN S. PIPER, OF NEW HAMPSHIRE
RICHARD JOHN POLNEY, OF NEVADA
MARIA DEL PILAR QUIGUA, OF MASSACHUSETTS
RYAN M. QUINN, OF FLORIDA
THOMAS LEE RADKE, JR., OF MISSOURI
SCOTT R. RASMUSSEN, OF VIRGINIA
KATHERINE O. RAY, OF OREGON
NANCY FARQUHAR RHODES, OF TEXAS
LEA PALABRICA RIVERA, OF NEW YORK
LAURA AYLWARD ROBINSON, OF WASHINGTON
TANYA ELAINE ROGERS, OF TEXAS
TYLER J. ROGSTAD, OF MINNESOTA
DOUGLAS B. ROSE, OF MINNESOTA
SUSAN ROSS, OF NEW YORK
TERESA ROTUNNO, OF NEVADA
CAREY HALE RUDELL, OF THE DISTRICT OF COLUMBIA
LAUREN C. SANTA, OF NEW JERSEY
NADIA DINA SBEIH, OF CALIFORNIA
JANICE SCHILL, OF CALIFORNIA
KIMBERLY K. SCRIVNER, OF NEVADA
BEHRANG FARIAN SERAJ, OF CALIFORNIA
JAMES P. SHAK, OF ARIZONA
LAUREN C. SHELTON, OF VIRGINIA
LEVI W. SHEPHERD, OF VIRGINIA
AARON M. SINGLETERRY, OF WASHINGTON
MONICA AMELIA SLEDJESKI, OF NEW YORK
LAURENCE J. SOCHA, OF ILLINOIS
JEREMY DAVID SPECTOR, OF TEXAS
MATTHEW BOUTON STANNARD, OF CALIFORNIA
MATTHEW M. STEED, OF CALIFORNIA
DAVID S. STIER, OF NEW YORK
ANNA STINCHCOMB, OF VIRGINIA
DANETTE I. SULLIVAN, OF TENNESSEE
SHANNA DIETZ SURENDRA, OF MICHIGAN
ETHAN KENT TABOR, OF MARYLAND
VIOLETA D. TALANDIS, OF FLORIDA
VANESSA ANNE TANTILLO, OF NEW YORK
DANIEL J. TARAPACKI, OF NEW YORK
JAY B. THOMPSON, OF THE DISTRICT OF COLUMBIA
JULIE THOMPSON, OF FLORIDA
GRETCHEN L. TIETJE, OF TEXAS
PATRICK ALLARD TILLOU, OF VIRGINIA
NICOLE ANNE MARIE TOBIN, OF KANSAS
EMERITA F. TORRES, OF NEW YORK
MIRNA R. TORRES, OF NEW MEXICO
TIMOTHY TRANCHILLA, OF MISSOURI
MARY ELLEN TSEKOS–VELEZ, OF VIRGINIA
GREGORY J. VENTRESCA, OF THE DISTRICT OF COLUMBIA
DANIEL VILLANUEVA, OF FLORIDA
DOMINGO J. VILLARONGA, OF NEW YORK
NICHOLAS VON MERTENS, OF NEW HAMPSHIRE
DAMIAN GEORGE WAMPLER, OF NEW YORK
DARREN IBRAHIM WANG, OF CALIFORNIA
THOMAS CHARLES WEBER, OF TEXAS
BROOKE WEHRENBERG, OF TEXAS
JOE WELSH, OF CALIFORNIA
CHAD JACOB WESEN, OF WASHINGTON
JOHN NOEL WINSTEAD, OF WYOMING
SCOTT B. WINTON, OF MISSOURI
STACEY ELIZABETH–VERSIE WOOD, OF CALIFORNIA
THOMAS N. WOTKA, OF VIRGINIA
CHRISTIAN S. YUN, OF CALIFORNIA
RUSSELL A. ZALIZNIAK, OF FLORIDA
WILBUR G. ZEHR, OF NEW YORK

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEPHEN L. HOOG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. BROOKS L. BASH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS W. SPOEHR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN D. JOHNSON

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. IVAN E. DENTON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601; AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be vice admiral

VICE ADM. FRANK C. PANDOLFE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. NORA W. TYSON

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRIAN K. ABNEY
RONALD L. BECKHAM
GEORGIA K. KROESE
ERIC J. OH

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JASON T. STEPP

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DAVID W. ABBA
BRIAN P. AFFLERBAUGH
LATHEEF N. AHMED
RICKY L. AINSWORTH
SUSAN M. AIROLA SKULLY
ANTHONY J. AJELLO, JR.
JENNIFER C. ALEXANDER
THADDEUS P. ALLEN
RAYMOND ALVES II
MARK C. ANARUMO
LEIGHTON T. ANDERSON, JR.
MICHAEL A. ANDERSON
MICHAEL S. ANGLE
CHRISTOPHER T. ANTHONY
REGINALD E. G. ASH III
SCOTT J. BABBITT
LESLIE P. BABICH
FRED P. BAIER
RICHARD J. BAILEY, JR.
WILLIAM C. BAILEY
BRANDON E. BAKER
JONATHAN P. BAKONYI
THOMAS C. BALLARD
DAVID BALLEW
MATTHEW A. BARKER
BRADLEY W. BARNHART
STEPHEN P. BARROWS
SAMUEL D. BASS
ROBERT G. BATTEMA
JOHN D. BEDINGFIELD
DEAN C. BELLAMY
DAVID M. BENSON
BRADLEY C. BIRD
PETER D. BLAKE
CHRISTOPHER J. BLANEY
THOMAS R. BLAZEK
CHARLES D. BOLTON
ROBERT P. BONGIOVI
DONALD J. BORCHELT
JAMES D. BOTTOMLEE
LORENZO C. BRADLEY
JAMES A. BRAUNSCHNEIDER
STEVEN J. BREEZE
LARA C. BRINSON
KERRY D. BRITT
LARRY R. BROADWELL, JR.
KEVIN W. BROOKS
MATTHEW R. BROOKS
ERIC D. BROWN
ROBERT G. BROWN
NEAL W. BRUEGGER
MICHAEL A. BRUZZINI
RICHARD K. BULLOCK
AMY S. BUMGARNER
JEFFREY S. BURDETT
JOSHUA C. BURGESS
AARON D. BURGSTEIN
TIMOTHY J. BURKE
LAUREL M. BURKEL
ANGELA J. BURTH
FREDERICK E. BUSH III
RICHARD D. BUTLER
CHRISTOPHER L. BYROM
DENNIS O. BYTHEWOOD
STEVEN R. CABOSKY
PHILIP M. CALI
KENNETH D. CALLAHAN
SHAWN W. CAMPBELL
JIMMY R. CANLAS
MICHAEL R. CARDOZA
BRIAN L. CARR
STEPHEN T. CARSON
EUGENE M. CAUGHEY
ROBERT L. CHARLESWORTH
ROBERT M. CHAVEZ
JULIAN C. CHEATER
SAMUEL J. CHESNUT IV
JASON J. E. CHILDS
VINCENT J. CHIOMA
ROBERT O. CIOPPA
ANNE L. CLARK
MICHAEL J. CLARK
PHILIP A. CLINTON
DONALD W. CLOUD
NILES M. COCANOUR
JED S. COHEN
DARREN R. COLE
JAMES E. COLEBANK
BRIAN D. COLLINS
ROY W. COLLINS
TODD A. COLLINS
REYES COLON
CHAD L. CONERLY
SIDNEY S. CONNER
COLIN J. CONNOR
JOEL O. COOK
ROBERT J. COOK
BRYAN S. COON
CHARLES J. COOPER
THOMAS M. COOPER
BRADLEY M. CRITES
ALBERTO E. CRUZ
WILLIAM C. CULVER
DONALD J. DAVIS
PATRICK W. DAVIS
CHRISTOPHER DE LOS SANTOS

MICHAEL J. DEAN
BRIAN J. DELAMATER
CHARLES J. DELAPP II
JAMES M. DELONG
ELIZABETH A. DEMMONS
THOMAS E. DEMPSEY III
JAMES L. DENTON
CHAD P. DERANGER
ABNER DEVALLON, JR.
DANIEL A. DEVOE
STEVEN N. DICKERSON
BRIAN C. DICKINSON
GEORGE T. M. DIETRICH III
TOR F. DIETRICHS
STEVE A. DINZART
JAMES E. DITTUS
MICHAEL P. DOMBROWSKI
THOMAS R. DORL
JOHN L. DORRIAN
CHARLES W. DOUGLASS
JAMES F. DOWNS
NORMAN A. DOZIER
ERIK A. DRAKE
DARIN C. DRIGGERS
RUSSELL D. DRIGGERS
MICHAEL R. DROWLEY
DARON J. DROWN
DAVID W. DYE
CHRISTOPHER A. EAGAN
KEVIN M. EASTLAND
DARREN A. EASTON
LEIF E. ECKHOLM
GILBERT B. EDDY
BRIAN J. EDE
JOHN R. EDWARDS
STEVEN G. EDWARDS
CLINTON W. EICHELBERGER
MARK R. ELY
TODD M. EMMONS
TROY L. ENDICOTT
ERIC A. ESPINO
DARREN E. EWING
JEFFREY K. FALLESEN
THOMAS G. FALZARANO
MICHAEL A. FELICE
MATTHEW C. FINNEGAN
PAUL R. FIORENZA
JACK D. FISCHER
ARMANDO E. FITERRE
FRANK A. FLORES
STEVEN J. FOLDS
MATTHEW J. FOLEY
KYLE C. FORRER
ERIC N. FORSYTH
BRADLEY D. FRAZIER
ANDREW B. FREEBORN
CHRISTOPHER A. FREEMAN
SCOTT A. GAAB
JOHN J. GALIK
DANIEL D. GARBER
JOHN M. GARVER
MICHAEL A. GEER
KEITH P. GIBSON
ROBIN L. GIBSON
JOHN W. GILES, JR.
CARMELO J. GIOVENCO, JR.
JOHN C. GLASS
JAIME GOMEZ, JR.
STEVEN M. GORSKI
DOUGLAS C. GOSNEY
GLEN L. GOSS
DANIEL F. GOTTRICH
RODNEY GRAY
GREGORY S. GREEN
NATHAN C. GREEN
MANUEL G. GRIEGO
MICHAEL A. GROGAN
TYRONE L. GROH
MICHAEL GRUNWALD, JR.
SCOTT D. GUNDLACH
MICHAEL D. HADDOCK
JOSEPH E. HALL
WILLIAM D. HALL
ERIC K. HALVERSON
ANDREW K. HAMANN
PAULA A. HAMILTON
JENNIFER HAMMERSTEDT
DARIEN J. HAMMETT
STEWART A. HAMMONS
TERRY J. HAMRICK, JR.
DAVID S. HANSON
CRAIG A. HARDING
MICHAEL S. HARPER
ALAN T. HART
STEVEN C. M. HASSTEDT
JEAN E. HAVENS
TIMREK C. HEISLER
LANDON L. HENDERSON
ERICH D. HERNANDEZBAQUERO
SHAUN R. HICK
JAMES P. HICKMAN
KEVIN D. HICKMAN
LAWRENCE C. HICKS
HAROLD T. HOANG
GEORGE K. HOBSON
STEPHEN G. HOFFMAN
JACOB J. HOLMGREN
MICHAEL K. HONMA
JEFFREY F. HUBER
JAMES P. HUGHES, JR.
ROMAN L. HUND
KARL D. INGEMAN
GEORGE W. IRVING IV
LYNN MARIE IRWIN
JASON M. JANAROS
GARY D. JENKINS II
JONATHAN A. JENSEN
MICHAEL W. JIRU, JR.
MICHAEL W. JOHANEK
CLARENCE A. JOHNSON, JR.
CRAIG P. JOHNSON
LAURA M. JOHNSON
PAUL M. JOHNSON
RAY A. JONES
TERRI A. JONES
WILLIAM R. JONES
ROSE M. JOURDAN
CHRISTOPHER L. JUAREZ
DARRELL F. JUDY
JAY L. JUNKINS
WILLIAM H. KALE
AMANDA G. KATO
MICHELLE L. KAUFMANN
BRYAN A. KEELING
DAVID D. KELLEY
CHARLES O. KELM
SCOTT M. KIEFFER
DAVID N. KINCAID, JR.
MICHAEL O. KINSLOW
KELLY M. KIRBY
LEA T. KIRKWOOD
DONALD A. KLECKNER
LEE E. KLOOS
THOMAS A. KONICKI
KURT D. KONOPATZKE
KEN W. KOPP
JAMES K. KOSSLER
DAVID D. KRETZ
GREGORY KREUDER
MOHAN S. KRISHNA
JOSEPH D. KUNKEL
DWAYNE A. LAHAYE
MICHAEL F. LAMB
DAWN C. LANCASTER
MICHAEL D. LAY
JAMES S. LEFFEL
CHAD E. LEMAIRE
SEAN P. LEROY
ANDREW J. LESHIKAR
ERIC L. LESHINSKY
JONATHAN M. LETSINGER
CHRISTOPHER P. LEVY
TARA A. LEWELING
ANDREW J. LEWIN
RICHARD J. LINEHAN III
CHRISTINE A. LOCKE
KEITH M. LOGEMAN
JILL A. LONG
PERRY M. LONG III
DEBRA A. LOVETTE
MATTHEW J. LUPONE
MARC A. LYNCH
WILLIAM J. MACLEAN
CHRISTOPHER V. MADDOX
STEPHEN W. MAGNAN
MATTHEW T. MAGNESS
LESLIE A. MAHER
RYAN D. MANTZ
DANIEL N. MARTICELLO, JR.
JOHN D. MARTIN
DAVID J. MARTINSON
SCOTT P. MASKERY
RICHARD S. MATHEWS
SCOTT B. MATTHEWS
SEAN M. MCCARTHY
BRADLEY W. MCDONALD
SEAN S. MCKENNA
ROBERT T. MEEKS III
THOMAS B. MEEKS
JAMES S. MEHTA
KELLY K. MENOZZI
JAMES S. MERCHANT
MICHAEL L. MERRITT
JACK W. MESSER
MICHAEL J. MEYER
JOSEPH K. MICHALEK
HANS H. MILLER
MICHAEL A. MILLER
RICKY L. MILLS
DAVID A. MINEAU
STEVEN J. MINKIN
DAVID K. MOELLER
VICTOR W. MONCRIEFFE II
JACQUELINE M. MONGEON
SEAN P. MONOGUE
SCOTT D. MOON
ERIC Y. MOORE
TODD R. MOORE
ERIC J. MORITZ
WILLIAM B. MOSLE
KENNETH E. MOSS
MICHAEL D. MOTE
STEPHEN R. MOYES
JAMES F. MUELLER
KEITH E. MUELLER
TODD A. MURPHEY
AMANDA S. MYERS
GEORGE R. NAGY
ARNOLD W. NASH III
ROBERT JAMES NEAL, JR.
JODI A. NEFF
TY W. NEUMAN
KARA KJ NEUSE
HARVEY F. NEWTON
THOMAS W. NICHOLSON
ROBERT T. NOONAN
WILLIAM J. NORTON
PAUL C. NOSEK
SCOTT R. NOWLIN
SHAN B. NUCKOLS
NEIL P. OAKDEN
JEFFERSON JAMES ODONNELL
BRIAN D. OELRICH
KENNETH W. OHLSON
PETER P. OHOTNICKY
RONNI M. OREZZOLI
CHARLES D. ORMSBY
BRIAN A. PAETH
JAMES C. PARSONS
LUDWIG K. PAULSEN
JEFFREY P. PEARSON
DAVID L. PEELER, JR.
LYNN P. PEITZ
DANA C. PELLETIER
DOUGLAS W. PENTECOST
KEITH A. PERKINS
LEON J. PERKOWSKI
KRISTOPHER E. PERRY
BRIAN C. PETERS
KENDALL D. PETERS
JAMES D. PETRICK
MICHAEL S. PETROCCO
GEORGE E. PETTY
JAMES W. PIEL
SAMMY T. PIERCE
RONALD L. PIERI
WILLIAM C. PLEASANTS
ALAIN D. POISSON
BRIAN H. PORTER
CHRISTOPHER T. PREJEAN
MICHAEL J. PRICE
SAMUEL T. PRICE
ARTHUR W. PRIMAS, JR.
DONALD D. PURDY
STEPHEN G. PURDY, JR.
MARK B. PYE
ROBERT J. QUIGG IV
ALESIA A. QUITON
BRIAN J. RAY
KEITH W. REEVES
BRAXTON D. REHM
CHRISTOPHER S. REIFEL
STEPHEN L. RENNER
NEIL R. RICHARDSON
ROBERT A. RICKER
ALLEN R. ROBERTS
DWAYNE M. ROBISON
SHELLEY A. RODRIGUEZ
MICHAEL K. ROKAW
RICHARD B. ROLLER
SCOTT A. ROMBERGER
ROBERT T. ROMER
MARGARET M. ROMERO
RICHARD M. ROSA
DOUGLAS W. ROTH
TARA K. ROUTSIS
LEERNEST M. B. RUFFIN
BRYAN T. RUNKLE
STEPHEN M. RUSSELL
ANDREW J. RYAN
PATRICK S. RYDER
JOHN D. RYE
JAY A. SABIA
FRANK D. SAMUELSON
DORAL E. SANDLIN
TIMOTHY A. SANDS
MATTHEW D. SANFORD
JOE H. SANTOS
JOSEPH C. SANTUCCI
TODD A. SAULS
DAVID R. SCANLON
JEFFREY A. SCHAVLAND
ANTHONY W. SCHENK
KEVIN E. SCHILLER
KARL C. SCHLOER
MICHAEL K. SCHNABEL
ADRIAN C. SCHUETTKE
THERESE A. SCHULER
GEORGE N. SCHWARTZ
PAUL J. SCOTT
TIMOTHY A. SEJBA
TRISHA M. SEXTON
ERIC K. SHAFA
SCOTT A. SHEPARD
THOMAS P. SHERMAN
RYAN C. SHERWOOD
JOHN W. SHIRLEY
JENNIFER M. SHORT
DAVID K. SIEVE
ERIK L. SIMONSEN
RAY L. SIMPSON
RODNEY SINGLETON
CHRISTOPHER M. SMITH
DAVID C. SMITH
KENNETH A. SMITH
KEVIN D. SMITH
MATTHEW D. SMITH
RICHARD L. SMITH
ROBERT D. SNODGRASS
MATTHEW O. SNYDER
JEFFREY A. SORRELL
MICHAEL J. SOWA
KENNETH S. SPEIDEL
RONALD D. STENGER
MARK A. STEPHENS
LISA Y. STEVENSON
EARL W. STOLZ II
WILLIAM M. STOWE III
SUZANNE M. STREETER
CHRISTOPHER R. STRICKLIN
BRIAN R. STUART
STEVE S. SUGIYAMA
JAMES M. SUHR
JASON K. SUTTON
THOMAS T. SWAIM
DOUGLAS H. SWIFT
RAYMUND MICHAEL TEMBREULL
MICHAEL P. TERNUS
ANTHONY L. THOMAS
JOHN J. THOMAS
SPENCER S. THOMAS

PAUL A. TOMBARGE
STEPHON J. TONKO
THOMAS D. TORKELSON
BRIAN E. TOTH
KELVIN J. TOWNSEND
ROBERT W. TRIPLETT
GEORGE E. TROMBA
ROBERT B. TRSEK
DAVID C. TRUCKSA
DONNA L. TURNER
ERIC S. TURNER
JAMES R. TWIFORD
MICHAEL D. TYYNISMAA
JEFFERY D. VALENZIA
RUSSELL S. VOCE
ROGER R. VROOMAN
WILLIAM E. WADE, JR.
RALPH J. WAITE IV
ALEXANDER W. WALFORD
CHARLES J. WALLACE II
MATTHEW V. WALLACE
HOWARD T. WALLER
KARL C. WALLI
WILLIAM B. WALPERT
SCOTT L. WARD
MICHAEL D. WEBB
CHRISTOPHER M. WEGNER
GEOFFREY F. WEISS
KEITH A. WELCH
SAMUEL G. WHITE III
TODD A. WHITE
DAVID P. WILDER
RICHARD WILGOS
SHANE C. WILKERSON
JON C. WILKINSON
KEVIN A. WILSON
MARK D. WITZEL
PATRICK F. WOLFE
BOBBY C. WOODS, JR.
PARKER H. WRIGHT
TINA M. WYANT
SCOTT D. YANCY
MATTHEW H. YETISHEFSKY
YOUNGKUN S. YU
KENNETH J. YUNEVICH
DUSTIN P. ZIEGLER
MATTHEW E. ZUBER

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARK R. ALEXANDER
SEAN J. BRANDES
ROBERT C. CADENA
JAMES C. DUDLEY, JR.
TRACY L. EMMERSEN
CHRISTOPHER D. ENG
KEVIN L. ERNEST
DAVID W. FILANOWICZ
MATTHEW W. GARRISON
JONATHAN M. GROENKE
BRIAN A. HARDING
BLAKE G. JACOBSON
CYNTHIA P. KEATING
PAUL D. LASHMET
DANYELLE M. LOW
ANDREA J. MCLEMORE
ANDREW T. NEWSOME
ROGER D. NISBETT
JOSEPH E. SISSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LANE C. ASKEW
ROBERT A. CLARADY
MATTHEW L. GHEN
TODD P. GLIDDEN
LOUIS M. GUTIERREZ
ROGER L. KOOPMAN
PATRICK E. LANCASTER
SYLVIA M. LAYNE
JAMES M. MAHER
ERIC N. MOYER
JASON T. NICHOLS
DAVID P. PERRY
PAUL M. SALEVSKI
DALE H. SHIGEKANE
JEFFREY S. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BERNARD BILLINGSLEY
BRADLEY D. BROWN, JR.
JEFFREY P. BUSCHMANN
JAMES L. CASTLEBERRY
DAVID M. CROWE
BRIAN M. FOSS
JOSEPH D. FRASER
TYLER L. GOAD
JAMIE L. HORNING
GRANT M. KOENIG
KRISTI A. LEHMKUHLER
GEORGE M. LOWE
JAMES T. MERCHANT
MARCELLE L. MOLETT
STEPHANY L. MOORE
KRISHNA C. PULGAR
DARREN E. RICE
KYLE P. RILEY
CHARLEESE R. SAMPA
LENSWORTH A. SAMUEL
RISA B. SIMON
CHAD E. SIMPSON
JOHN M. SMAHA, JR.
CHRISTOPHER H. SMITH
BRADLEY J. STOREY
ROBERT J. TEAGUE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DARYL G. ADAMSON
CHARLES E. ARDINGER
MICHAEL J. BEAL
STEVEN G. BEALL
MATTHEW P. BEARE
KENNETH T. BELLOMY
JOHN M. CARMICHAEL
KEVIN P. CHILDRE
KENNETH C. COLLINS II
DONALD F. CRUMPACKER
MICHAEL T. CURRY
JAMES S. DANCER
DZUNG P. DAVIS
WILLIAM R. DONNELL, JR.
ARTHUR M. DUVALL
JAMES C. DYER
WILLIAM E. EDENBECK
DANIEL W. ELSASS
ALAN D. FEENSTRA
KARL G. GILES
CORY M. GROOM
RICHARD R. GROVE, JR.
PHILLIP A. GUTIERREZ
JAMES D. HAIR
AUBREY K. HAMLETT
DAVID A. HARRIS
KENNETH L. HOLLAND
DOUGLAS E. HOUSER
EDWARD G. JASO
CHARLES O. JONES
SANFORD L. KALLAL
DAVID D. LITTLE
ROBERT J. LOPEZ
RICHARD F. LOVE III
ANTHONY J. MATA
RODNEY H. MOSS
JOHN D. NAYLOR
SCOTT A. NOE
RODNEY J. NORTON
JOHN A. OMAN
RAYMOND A. PARHAM
ANTHONY M. PECORARO
GEORGE A. PORTER
REX N. PUENTESPINA
RONALD G. RANCOURT
SHAWN J. REAMS
KENNETH B. SANCHEZ
NICHOL M. SCHINE
JACKIE A. SCHWEITZER
SCOTT E. SHEA
JEFFREY R. SHIPMAN
PATRICK H. SUTTON
QUINTIN G. TAN
KENNETH C. TEASLEY
MICHAEL L. THOMPSON
KEITH A. TUKES
LAWRENCE W. UPCHURCH
GREGORY A. VERLINDE
ALEC C. VILLEGAS
WILBERT M. WAFFORD
DAVID L. WALKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT S. ALMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JEFFREY J. ABBADINI
RYAN P. AHLER
DANIEL R. ALCORN
EVERETT M. ALCORN, JR.
STEPHEN W. ALDRIDGE
ERNESTO R. ALMONTE
GERVY J. ALOTA
JEFFREY A. ANDERSON
EDWARD A. ANGELINAS
CHRISTOPHER W. ARTIS
STEPHEN A. AUDELO
SPENCER P. AUSTIN
SHELBY Y. BAECKER
JOSEPH A. BAGGETT
CASEY B. BAKER
JEFFREY D. BAKER
ZATHAN S. BAKER
DWAYNE E. BARNETT
JONATHAN L. BARON
JOHN R. BARTAK
QUINCY E. BEASLEY
WILLIAM M. BEATY
LEOPOLDO L. BENITES
MANUEL A. BIASCOECHEA
CHRISTOPHER M. BIGGS
BRIAN A. BINDER
JAMES R. BIRD
NATHAN R. BITZ
BRIAN C. BLACK
R. W. BLIZZARD
THOMAS T. BODINE
TIMOTHY C. BOEHME
MICHAEL P. BORRELLI
SILAS L. BOUYER II
JOHN A. BOWMAN
HAROLD W. BOWMANTRAYFORD
COLIN K. BOYNTON
BRIAN A. BRADFORD
DEREK BRADY
JASON E. BRAGG
PAUL S. BRANTUAS
SAMUEL P. BRASFIELD III
JASON J. BRIANAS
DANIEL E. BROADHURST
JOSEPH M. BROMLEY
DAVID P. BROOKS
MARK J. BROPHY
ELAINE A. BRUNELLE
SCOTT P. BRUNSON
JASON A. BUCKLEY
TERRY L. BUCKMAN
DOUGLAS J. BURFIELD
MICHAEL J. BURKS
ROBERT S. BURNS
JASON G. BUTLER
MILTON BUTLER III
WILLIAM CALLAHAN
ROBERT A. CAMPBELL
BURT J. CANFIELD
JOEL M. CAPONIGRO
NICK A. CARDENAS
TED W. CARLSON
JAMES K. CARVER
DAVID J. CASTEEL
CAREY F. CASTELEIN
GABRIEL B. CAVAZOS
BLAKE L. CHANEY
DEWON M. CHANEY
JONATHAN S. CHANNELL
MATTHEW E. CHAPMAN
PETER J. CHAVERIAT
ADAM G. CHEATHAM
THOMAS G. CHEKOURAS
CHARLES M. CHOATE III
MATTHEW W. CIESLUKOWSKI
BENJAMIN J. CIPPERLEY
GILBERT E. CLARK, JR.
TIMOTHY M. CLARK
PAUL D. CLARKE
MARK A. CLOSE
MICHAEL S. CLOUD
DANIEL D. COCHRAN
DAVID J. COE
ERIC D. COLE
BENJAMIN D. CONE
BRIAN D. CONWAY
NAKIA M. COOPER
ALAN M. COPELAND
JOHN C. CORRELL
JOSEPH W. CORTOPASSI
BRENT J. COTTON
ADAN J. COVARRUBIAS
SHAWN M. COWAN
DAVID S. COX
BRADFORD P. CRAIN
CLARKE S. CRAMER
CURTIS W. CRUTHIRDS
SCOTT M. CULLEN
MATTHEW D. CULP
BRIAN G. CUNNINGHAM
CHARLES E. DALE III
CHRISTINA L. DALMAU
ROBERT B. DANBERG, JR.
TODD M. DANTONIO
MARC E. DAVIS
TIMOTHY P. DAVIS II
DANA A. DECOSTER
DANIELLE C. DEFANT
SARAH H. DEGROOT
WILLIAM G. DELMAR
MARC R. DELTETE
RAVI M. DESAI
JOHN A. DIGIOVACCHINO
CHRISTOPHER J. DOMENCIC
MARK D. DOMENICO
JARROD D. DONALDSON
CHRISTOPHER D. DOTSON
KENNETH S. DOUGLAS
CLINTON L. DOWNING
BRIAN M. DRECHSLER
DOUGLAS A. DREESE
JOSEPH M. DROLL
ROBERT E. DUCOTE
DERRICK A. DUDASH
ENNO J. DUDEN
DANIEL P. DUHAN
ROBERT A. DULIN
DAVID P. DURKIN
BRIAN C. EARP
GEORGE R. EBARB
DAVID L. EDGERTON
STEVEN D. ELIAS
BRIAN C. EMME
THEODORE E. ESSENFELD
ROY C. EVANS
LOUIS A. FAIELLA
WILLIAM P. FALLON
MICHEL C. FALZONE
JEFFREY A. FARMER
CHRISTOPHER M. FARRICKER
RYAN M. FARRIS
CHAD A. FELLA
PATRICE J. P. FERNANDES
JOSEPH M. FIKSMAN
MICHAEL B. FINN
PAULA A. FIRENZE

EDWARD K. FLOYD
JENNIFER L. FORBUS
TONREY M. FORD
MEGHAN B. FOREHAND
DAVID S. FORMAN
STEPHEN C. FORTMANN
VINCENT A. FORTSON
HANS A. FOSSER
WILLIAM D. FRANCIS, JR.
BRIAN D. FREMMING
JONAS FREY
KENNETH J. FROBERG
JOHN T. FRYE
JOHN D. GAINEY IV
BRYAN S. GALLO
RUBEN GALVAN
NEAL T. GARBETT
GILBERT D. GAY
ALBERT H. GEIS, JR.
ROBERT J. GELINAS
ANDREW D. GEPHART
ANDREW H. GILBERT
CHRISTOPHER S. GILMORE
CHRISTIAN P. GOODMAN
BRIAN W. GRAVES
DOUGLAS T. GRAY
WELLS W. GREEN
JASON P. GROWER
JASON M. GUSTIN
MARK A. HAAS
DAVID S. HAASE
AARON R. HAGER
BRIAN J. HAGGERTY
MICHAEL D. HALL
PETER F. HALVORSEN
JOSHUA A. HAMMOND
EDMUND J. HANDLEY
DAVID J. HANEY
MARK W. HANEY
MATTHEW T. HARDING
GARY A. HARRINGTON II
DAVID F. HARRIS
JUSTIN L. HARTS
MICHAEL P. HARVEY II
AMANDA A. M. HAWKINS
CHRISTOPHER N. HAYTER
GARETH J. HEALY
ROBERT A. HEELY, JR.
CRAIG W. HEMPECK
KEITH A. HENDERSON
OLIVER R. HERION
JASON B. HIGGINS
LISA B. HODGSON
BRIAN L. HOLMES
DAVID C. HOLMES
CHRISTOPHER T. HORGAN
MATTHEW G. HORR
MICHAEL W. HOSKINS
PATRICK W. HOURIGAN
MICHAEL P. HOWE
JAMES B. HOWELL
HOLLY A. HOXSIE
JOSEPH A. HUFFINE
CHRISTOPHER S. HULITT
DAVID P. HURN
FRANK T. INGARGIOLA
RICHARD J. ISAAK
QUINTIN L. JAMES
JAMES P. JEROME
WILLIAM A. JOHANSSON
JOHANNES E. JOLLY
HOWARD L. JONES
STEVEN C. JONES
MICHAEL D. KAMPFE
BRANDON S. KASER
DANIEL J. KEELER
PATRICK A. KELLER
JASON T. KETELSEN
ROBERT B. KIMNACH III
JASON D. KIPP
JEFFREY A. KJENAAS
KEN J. KLEINSCHNITTGER
WILLIAM C. KLUTTZ
SEAN P. KNIGHT
CHRISTOPHER J. KREIER
NICHOLAS A. KRISTOF
TIMOTHY D. LABENZ
TODD I. LADWIG
KELLY L. LAING
ROBERT T. LANANE II
WILLIAM G. LANE
SHANE A. LANSFORD
THOMAS E. LANSLEY
BRIAN LARMON
SCOTT W. LARSON
RYAN E. LAWRENZ
DOUGLAS W. LEAVENGOOD
CHRISTOPHER LEE
DUSTIN E. LEE
MICHAEL W. LEE
PAUL LEE
JEREMY L. LEIBY
DAVID C. LEIKER
JOSEPH L. LEPPO
ANDRE B. LESTER
JOSEPH M. LEVY
KENNETH R. LIEBERMAN
MATTHEW E. LIGON
RYAN J. LILLEY
CHRISTOPHER C. LINDBERG
ERIC D. LINDGREN
CHAD J. LIVINGSTON
JAMES P. LOMAX
TIMOTHY J. LONG
MARK R. LUKKEN
ERIC H. LULL
MICHAEL E. MADRID
GREGORY P. MALANDRINO
JAMES R. MALONE
DENNIS N. MALZACHER, JR.
SHANE T. MARCHESI
HARRY L. MARSH
MICHAEL J. MARTHALER
DARRYL B. MARTIN
MIGUEL R. MARTINEZ
JONATHAN A. MARVELL
WALTER B. MASSENBURG, JR.
TODD M. MASSOW
GABRIEL A. MAULDIN
MATTHEW M. MAZAT
DANIEL R. MCAULIFFE
MITCHELL S. MCCALLISTER
GILL H. MCCARTHY
GRADY S. MCDONALD
JAMES D. MCDONALD
KEVIN T. MCGEE
ROBERT A. MCGILL
JEFFREY M. MCGRADY
MATTHEW S. MCGRAW
BRIAN W. MCGUIRK
JAMES F. MCKENNA
SIMON C. MCKEON
ANDREW R. MCLEAN
MICAJAH T. MCLENDON III
BRANDY T. MCNABB
MICHAEL A. MCPHAIL
RALPH L. MCQUEEN III
DOUGLAS K. MEAGHER
JAVIER MEDINAMONTALVO
HOWARD V. MEEHAN
JOSHUA M. MENZEL
DENNIS METZ
KELLY R. MIDDLETON
STEVEN F. MILGAZO
GREGORY J. MILICIC
ALAN D. MILLER
MAX F. MILLER
STEPHEN J. MINIHANE
ANDREW B. MIROFF
DENNIS C. MONAGLE
KENNETH E. MONFORE III
DAVID P. MOORE
JAMES A. MORROW
STEVEN S. MOSS
CHRISTOPHER L. MOYLAN
MICHAEL G. MULLEN
DARRIN R. MULLINS
JOSEPH D. MURPHY III
PATRICK J. MURPHY
BRANDON L. MURRAY
ALAN A. NELSON
MICHAEL D. NORDEEN
MICHAEL C. OBERDORF
HEATHER L. ODONNELL
THOMAS M. OGDEN
MICHAEL P. ONEILL
BRETT R. OSTER
CHRISTOPHER J. PACENTRILLI
JUAN C. PALLARES
CHRISTOPHER A. PAPAIOANU
PHILIP L. PARMLEY
JOHN G. PARQUETTE
JASON P. PATTERSON
JOHN C. PATTERSON
JOHN E. PATTERSON
MICHAEL S. PAYNE
RICHARD D. PAYNE
JEREMY A. PELSTRING
KENNETH S. PICKARD
LEIGHTON J. PITRE
JASON C. PITTMAN
DMITRY POISIK
JASON R. POMPONIO
COREY A. POORMAN
JOHN D. PORADO
JOHN D. PORTER
MICHAEL M. POSEY
MARK E. POSTILL
CHARLES T. PRIM
DANIEL R. PROCHAZKA
ROBERT S. PUDNEY IV
MICHAEL T. PUFFER
ROBERT L. RADAK, JR.
VICTORIO A. RAMIREZ
DOUGLAS E. RAMSEY
DANIEL C. RAPHAEL
DONALD V. RAUCH
CHAD A. REDMER
ELIZABETH A. REGOLI
DANIEL J. REISS
JEFFREY M. REYNOLDS
BRIAN A. RIBOTA
KEVIN S. RICE
JOHN P. RICHERSON
JACK C. RIGGINS
DONOVAN C. RIVERA
KEVIN E. ROBB
DARYL ROBBIN
REMY P. ROBERT
JOEL RODRIGUEZ
DARREN C. ROE
HENRY M. ROENKE IV
JASON E. ROGERS
SCOTT D. ROSE
SCOTT A. ROSETTI
KENNETH R. RUSSELL
MATTHEW D. RUSSELL
GARY A. RYALS
ERIC M. SAGER
ROMMEL J. SALGADO
PETER J. SALVAGGIO, JR.
ALFREDO J. SANCHEZ
GREGG S. SANDERS
TODD A. SANTALA
JEFFERSON P. SARGENT
ROBERT W. SAVERING
MATTHEW D. SCARLETT
JOHN M. SCHILLER
RYAN C. SCHLEICHER
LUKE D. SCHMIDT
JAMES A. SCHROEDER
ADAM T. SCHULTZ
CHAD C. SCHUMACHER
WINSTON E. SCOTT II
PAUL A. SEITZ
SHAUN S. SERVAES
GENE G. SEVERTSON II
TERRENCE M. SHASHATY
COLBY W. SHERWOOD
AARON F. SHOEMAKER
PETER M. SHOEMAKER
ANDREW J. SHULMAN
RICHARD A. SILVA
DAVID W. SKAROSI
SHARN R. SKELTON
ANDRIA L. SLOUGH
CHRISTOPHER E. SMITH
KENT D. SMITH
SUSAN J. SMITH
WARREN D. SMITH
JOSEPH W. SMOTHERMAN
GUY M. SNODGRASS
LESLIE D. SOBOL
BRIAN J. SOLANO
KEVIN J. SPROGE
LANCE A. SRP
JASON R. STAHL
ROBERT STANSELL
MARK B. STEFANIK
NEIL J. STEINHAGEN
BRETT A. STEVENSON
MATTHEW A. STEVENSON
KELSEY P. STLOUIS
RYAN M. STODDARD
MICHAEL G. STOKES
KRISTOPHER W. STONAKER
ADAM H. STONE
GEOFFREY S. STOW
JOSEPH V. STRASSBERGER
MICHAEL L. STRONG
TEAGUE J. SUAREZ
JAMES E. SUCKART
MICHAEL B. SWEENEY
MATTHEW A. SZOKA
AARON M. TABOR
SHANE P. TANNER
TODD D. TAVOLAZZI
AARON J. TAYLOR
CORA C. TAYLOR
ERIC L. TAYLOR
PAUL J. TILL
WARREN W. TOMLINSON
MICHAEL H. TOTH
ROBERT M. TOTH
GERALD L. TRITZ
AUGUST J. TROTTMAN
BRADY W. TURNAGE
BRIAN T. TURNEY
BENJAMIN D. VANBUSKIRK
NICHOLAS A. VANDEGRIEND
ADRIAN F. VANDELLEN
JASON R. VANPIETERSOM
DAVID C. VEHON
JEREMY E. VELLON
JAMES T. WADDELL
DAVID B. WAIDELICH
SCOTT A. WALGREN
WILLIAM J. WALSH
FRANCIS J. WALTER III
JASON L. WARD
CHRISTOPHER J. WARDEN
BRANDON W. WARREN
GLENN K. WASHINGTON
STEVEN H. WASSON
SCOTT A. WASTAK
CURTIS E. WEBSTER
JASON E. WEED
STEPHEN R. WEEKS
CHAD E. WELBORN
EDDIE F. WHITLEY, JR.
ROBERT G. WICKMAN
ADAM D. WIEDER
TED W. WIEDERHOLT
DONALD J. WILLIAMS
ROBERT R. WILLIAMS IV
JASON J. WILLIAMSON
MICHAEL A. WILSON
WILLIAM C. WIRTZ
TERRY P. WISE, JR.
MICHAEL D. WISECUP
CHRISTOPHER J. WOOD
KEITH C. WOODLEY
MATTHEW A. WRIGHT
RAFE K. WYSHAM
JEFFREY M. YACKEREN
TIMOTHY J. YANIK
BRIAN A. YOUNG
MICHAEL J. ZAIKO
TODD D. ZENTNER
TRAVIS W. ZETTEL
DAVID M. ZIELINSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ALDRITH L. BAKER
CHRISTOPHER G. BRIANAS
JED R. ESPIRITU
HOWARD B. FABACHER II

VANESSA GIVENS
RICHARD A. HUTH
RICHARD D. JOHNSTON, JR.
RICHARD A. KNIGHT, JR.
YOLANDA K. MASON
KATHLEEN B. MILLIGAN
NINA M. NICASIO
SHANE D. RICE
ROBERT S. SMITH
DAVID C. WEBBER
ENNIS E. WILLIAMS
JOHN E. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARK A. ANGELO
ANDREW J. BALLINGER
CHRISTOPHER L. CANNIFF
MATTHEW A. DENSING
DAVE S. EVANS
MATTHEW W. FARR
CHRISTOPHER W. GAVIN
KATHLEEN B. GILES
ROBERT D. MCCLURE
JUDITH A. MULLER
JOHN D. PETERSON
BRIAN J. SAWICKI
GREGORY E. SUTTON
THOMAS J. M. WEAVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ROBERT L. BURGESS
BERNARD F. CALAMUG
KENNETH D. CAMERON
JAMES S. CARMICHAEL
FRANCINI R. CLEMMONS
MARC K. FARNSWORTH
CHRISTOPHER J. HAAS
JON M. HERSEY
JOSEPH A. HIDALGO, JR.
VENCENT W. LOGAN
JOSE A. MARTINEZ
LOUIS V. SCOTT
KENTARO A. TACHIKAWA
JACINTO TORIBIO, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LASUMAR R. ARAGON
BRIAN T. BIALEK
REX A. BOONYOBHAS
THOMAS J. BRASHEAR
MICHAEL A. BURKHARD
PAUL J. COSTANZO
LUC D. DELANEY
KRISTINE M. DESOTO
CHRISTOPHER D. EPP
KEITH B. FAHLENKAMP
WILLIAM F. FALLIER
ERIC D. FELDER
JOHN W. GAMBLE
ROBERT A. GOLD
WESTON L. GRAY
CARLUS A. GREATHOUSE
TODD R. GREENE
WILLIAM L. HAGAN
AARON M. HAY
ANDREW J. HOFFMAN
WILLIAM E. KOSZAREK III
HANNAH A. KRIEWALDT
NATHAN E. LYON
KEITH G. MANNING II
LEE A. NICKEL
NICOLE K. NIGRO
CARL L. PARKS
WILLIAM P. PEMBERTON
MITCHELL R. PERRETT
THOMAS A. SEIGENTHALER
RANDOLPH E. SLAFF, JR.
SALVADOR M. SUAREZ
ZALDY M. VALENZUELA
TYRONE Y. VOUGHS
BENJAMIN A. WILDER
ROBERT E. WILLIAMS
SARAH E. ZARRO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DENVER L. APPLEHANS
COREY B. BARKER
PAMELA S. BOU
WILLIAM H. CLINTON
RONALD S. FLANDERS
JAMES T. KROHNE, JR.
DAVID R. MCKINNEY
ERIK J. REYNOLDS
SARAH T. SELFKYLER
CHRISTOPHER S. SERVELLO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ENID S. BRACKETT
GEORGE M. DOLAN
MICHAEL L. FARMER
LUIS M. FIGUEROA
LUCAS B. GUNNELS
ROBERT A. HOCHSTEDLER
COREY S. JOHNSTON
MATTHEW J. LEDRIDGE
THOMAS S. PRICE
GERALDJAMES M. SANTIAGO
KARSTEN E. SPIES
EDWARD A. SYLVESTER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CHRISTINA N. GRIFFIN
PATRICIA K. MCCAFFERTY
MILAN MONCILOVICH
SCOTT A. OLIVOLO
RICK D. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MONIQUE J. BOCOCK
TONY F. DEALICANTE
MATTHEW J. DORAN
SANDRA L. HODGKINSON
ERIC M. HURT
MONTE G. MILLER, JR.
CHARLES D. STIMSON
JORDAN A. THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN G. CLAY
DEBORAH A. CURRAN
CAROL C. GIBSON
MARY L. HIATT
STEPHEN K. KURIGER
PAMELA A. MCGLOTHLIN
MILDRED H. OWINGS
STEPHANIE A. REISDORF
PAUL R. RUSSO
STEPHANIE L. SANDERS
DEBRA D. SOTO
DONALD J. STAFFORD
VALERIE A. STANLEY
SUSAN L. WALKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DANIEL C. ALMER
WALLACE A. BURNS, JR.
PATRICK S. HAYDEN
STEVEN J. LATHROP
ROBERT S. MARTIN
WILLIAM J. MAY, JR.
VALERIE F. PARKER
JEFFREY J. TRIBIANO
BRIAN D. WEISS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

STEVEN G. FUSELIER
EILEEN B. WERVE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

SEAN P. OBRIEN
CHARLES S. THOMPSON III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TIMOTHY M. COLE
REGINA G. MARENGO
ANTHONY B. SPINLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN B. BACCUS III
CRAIG E. ROSS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS A. J. OLIVERO
ROBERT A. STUDEBAKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIN E. O. ACOSTA
JOHN C. BLEIDORN
JILLENE M. BUSHNELL
HARTWELL F. COKE
JOHN P. GARSTKA
ELIZABETH M. S. HIGGINS
JOHN M. MARBURGER
DWIGHT E. SMITH, JR.

SECURITIES AND EXCHANGE COMMISSION

KARA MARLENE STEIN, OF MARYLAND, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2017, VICE ELISSE WALTER, TERM EXPIRED.

MICHAEL SEAN PIWOWAR, OF VIRGINIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2018, VICE TROY A. PAREDES, TERM EXPIRING.

DEPARTMENT OF COMMERCE

MARK E. SCHAEFER, OF CALIFORNIA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, VICE LARRY ROBINSON.

CONSUMER PRODUCT SAFETY COMMISSION

ANN MARIE BUERKLE, OF NEW YORK, TO BE A COMMISSIONER OF THE OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2011, VICE ANNE M. NORTHUP, TERM EXPIRED.

DEPARTMENT OF STATE

JAMES F. ENTWISTLE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF NIGERIA.

DOUGLAS EDWARD LUTE, OF INDIANA, TO BE UNITED STATES PERMANENT REPRESENTATIVE ON THE COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

VICTORIA NULAND, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AND EURASIAN AFFAIRS), VICE PHILIP H. GORDON, RESIGNED.

DANIEL A. SEPULVEDA, OF FLORIDA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY IN THE BUREAU OF ECONOMIC, ENERGY, AND BUSINESS AFFAIRS AND U. S. COORDINATOR FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

WILLIAM IRA ALTHEN, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2018, VICE MICHAEL F. DUFFY, TERM EXPIRED.

NATIONAL LABOR RELATIONS BOARD

LAFE E. SOLOMON, OF MARYLAND, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD FOR A TERM OF FOUR YEARS, VICE RONALD E. MEISBURG, RESIGNED.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHAI RACHEL FELDBLUM, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2018. (REAPPOINTMENT)

GENERAL SERVICES ADMINISTRATION

DANIEL M. TANGHERLINI, OF THE DISTRICT OF COLUMBIA, TO BE ADMINISTRATOR OF GENERAL SERVICES, VICE MARTHA N. JOHNSON, RESIGNED.

OFFICE OF PERSONNEL MANAGEMENT

KATHERINE ARCHULETA, OF COLORADO, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE JOHN BERRY, TERM EXPIRED.

DEPARTMENT OF COMMERCE

JOHN H. THOMPSON, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE CENSUS FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2016, VICE ROBERT M. GROVES, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 2013:

THE JUDICIARY

MARK A. BARNETT, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

CLAIRE R. KELLY, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

DEPARTMENT OF STATE

DEBORAH KAY JONES, OF NEW MEXICO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

JAMES KNIGHT, OF ALABAMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

THE JUDICIARY

SRIKANTH SRINIVASAN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

MICHAEL KENNY O'KEEFE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES E. MCCLAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID L. GOLDFEIN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ROBERT C. BOLTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 9335:

To be brigadier general

COL. ANDREW P. ARMACOST

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN F. WHARTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. GABRIEL TROIANO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. JEFFREY B. CLARK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JAMES A. ADKINS

To be brigadier general

COL. JAMES D. CAMPBELL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL WAYNE L. BLACK
COLONEL MICHAEL K. HANIFAN
COLONEL DANIEL M. KRUMREI
COLONEL ROBERT E. WINDHAM, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL MARK E. ANDERSON
BRIGADIER GENERAL JULIE A. BENTZ
BRIGADIER GENERAL COURTNEY P. CARR
BRIGADIER GENERAL DANIEL R. HOKANSON
BRIGADIER GENERAL FRANCIS S. LAUDANO III
BRIGADIER GENERAL SCOTT D. LEGWOLD
BRIGADIER GENERAL ROGER L. MCCLELLAN
BRIGADIER GENERAL TIMOTHY M. MCKEITHEN
BRIGADIER GENERAL MICHAEL D. NAVRKAL
BRIGADIER GENERAL BRUCE E. OLIVEIRA
BRIGADIER GENERAL CHARLES E. PETRARCA, JR.
BRIGADIER GENERAL KENNETH C. ROBERTS
BRIGADIER GENERAL WILLIAM F. ROY
BRIGADIER GENERAL WILLIAM L. SMITH

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL STEVEN R. BEACH
COLONEL KENNETH A. BEARD
COLONEL FRED C. BOLTON
COLONEL MICHAEL J. BOUCHARD
COLONEL GREGORY S. BOWEN
COLONEL MARK D. BRACKNEY
COLONEL JOHN E. BURK
COLONEL CHRISTOPHER M. BURNS
COLONEL SEAN M. CASEY
COLONEL RUSSELL A. CRANE
COLONEL RICHARD H. DAHLMAN
COLONEL MARC FERRARO
COLONEL ROBERT A. FODE
COLONEL CHRISTOPHER J. FOWLER
COLONEL PAUL F. GRIFFIN
COLONEL GERALD E. HADLEY
COLONEL PATRICK M. HAMILTON
COLONEL WILLIAM M. HART
COLONEL ROBERT T. HERBERT
COLONEL MARVIN T. HUNT
COLONEL CHARLES T. JONES
COLONEL HUNT W. KERRIGAN
COLONEL JOHN F. KING
COLONEL DIRK R. KLOSS
COLONEL JEFFERY P. KRAMER
COLONEL GORDON D. KUNTZ
COLONEL MASAKI G. KUWANA, JR.
COLONEL DONALD P. LAUCIRICA
COLONEL MARK S. LOVEJOY
COLONEL MARK A. LUMPKIN
COLONEL ROBERT K. LYTLE
COLONEL TAMMY J. MAAS
COLONEL FRANCIS B. MAGURN II
COLONEL MARK G. MALANKA
COLONEL THOMAS R. MCCUNE
COLONEL FRANCIS M. MCGINN
COLONEL MICHAEL D. MERRITT
COLONEL RICHARD J. NORIEGA
COLONEL ROBERT D. PASQUALUCCI
COLONEL VAL L. PETERSON
COLONEL CHRISTOPHER J. PETTY
COLONEL JOHN M. RHODES
COLONEL SCOTT H. SCHOFIELD
COLONEL LINDA L. SINGH
COLONEL DANNY K. SPEIGNER
COLONEL BRYAN E. SUNTHEIMER
COLONEL MICHAEL A. SUTTON
COLONEL STEVEN A. TABOR
COLONEL GREGORY A. THINGVOLD
COLONEL MICHAEL C. THOMPSON
COLONEL KIRK E. VANPELT
COLONEL WILLIAM A. WARD
COLONEL STEVEN R. WATT
COLONEL RONALD P. WELCH
COLONEL DAVID B. WILES
COLONEL GISELLE M. WILZ
COLONEL JAMES P. WONG
COLONEL JERRY L. WOOD
COLONEL GARY S. YAPLE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL LOUIS H. GUERNSEY, JR.
BRIGADIER GENERAL KENNETH L. REINER

To be brigadier general

COLONEL STEPHEN G. KENT
COLONEL JUAN A. RIVERA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. RICHARD J. TORRES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL DILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DONALD E. JACKSON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WILLIAM T. GRISOLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. JOHN M. CHO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRIAN E. ALVIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203:

To be major general

BRIGADIER GENERAL WILLIAM F. DUFFY
BRIGADIER GENERAL RONALD E. DZIEDZICKI
BRIGADIER GENERAL MARK T. MCQUEEN
BRIGADIER GENERAL LUCAS N. POLAKOWSKI
BRIGADIER GENERAL RICKY L. WADDELL

To be brigadier general

COLONEL STEVEN W. AINSWORTH
COLONEL RONALD A. BASSFORD
COLONEL JOSE R. BURGOS
COLONEL JOHN E. CARDWELL
COLONEL DANIEL J. CHRISTIAN
COLONEL JOHN J. ELAM
COLONEL BRUCE E. HACKETT
COLONEL THOMAS J. KALLMAN
COLONEL WILLIAM B. MASON
COLONEL KENNETH H. MOORE
COLONEL THOMAS T. MURRAY
COLONEL MICHAEL C. O'GUINN
COLONEL MIYAKO N. SCHANELY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. TERRY J. BENEDICT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. (LH) JOSEPH W. RIXEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN JOHN W. V. AILES
CAPTAIN BABETTE BOLIVAR
CAPTAIN DARYL L. CAUDLE
CAPTAIN KYLE J. COZAD
CAPTAIN RANDY B CRITES
CAPTAIN DANIEL H. FILLION
CAPTAIN LISA M. FRANCHETTI
CAPTAIN MARCUS A. HITCHCOCK
CAPTAIN THOMAS J. KEARNEY
CAPTAIN ROY J. KELLEY
CAPTAIN JAMES T. LOEBLEIN
CAPTAIN BRIAN E. LUTHER
CAPTAIN WILLIAM R. MERZ
CAPTAIN MICHAEL T. MORAN
CAPTAIN CHRISTOPHER J. MURRAY
CAPTAIN JOHN B. NOWELL, JR.
CAPTAIN TIMOTHY G. SZYMANSKI
CAPTAIN RICHARD L. WILLIAMS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. TIMOTHY J. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. NANCY A. NORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ROBERT D. SHARP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. LOUIS V. CARIELLO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

MARK I. FOX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MICHELLE J. HOWARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. TED N. BRANCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. SEAN A. PYBUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PAUL A. GROSKLAGS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. SCOTT H. SWIFT

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT R. RUARK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GLENN M. WALTERS

IN THE AIR FORCE

AIR FORCE NOMINATION OF MATTHEW J. GERVAIS, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF BRADLY A. CARLSON, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL LUCAS AHMANN AND ENDING WITH BERNARD JOHN YOSTEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH JAMES ACEVEDO AND ENDING WITH D011666, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH GARLAND A. ADKINS III AND ENDING WITH G010188, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH STEVEN J. ACKERSON AND ENDING WITH G010128, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATION OF MICHAEL B. MOORE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH THOMAS G. BEHLING AND ENDING WITH RAYMOND G. STRAWBRIDGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 23, 2013.

ARMY NOMINATION OF SHERCODA G. SMAW, TO BE MAJOR.

ARMY NOMINATION OF CARL N. SOFFLER, TO BE MAJOR.

ARMY NOMINATION OF OWEN B. MOHN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CARMELO N. OTEROSANTIAGO AND ENDING WITH JOHN H. SEOK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH BRENT E. HARVEY AND ENDING WITH JOOHYUN A. KIM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH JERRY M. ANDERSON AND ENDING WITH MAUREEN H. WEIGL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH DENNIS R. BELL AND ENDING WITH KENT J. VINCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH DAVID W. ADMIRE AND ENDING WITH D006281, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER G. ARCHER AND ENDING WITH D011779, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES A. ADAMEC AND ENDING WITH VANESSA WORSHAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

ARMY NOMINATIONS BEGINNING WITH EDWARD P. C. AGER AND ENDING WITH JOHN P. ZOLL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF DARREN M. GALLAGHER, TO BE MAJOR.

MARINE CORPS NOMINATION OF DUSTY C. EDWARDS, TO BE MAJOR.

MARINE CORPS NOMINATION OF SAL L. LEBLANC, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF MAURO MORALES, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH JESSICA L. ACOSTA AND ENDING WITH MATTHEW S. YOUNGBLOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH RICO ACOSTA AND ENDING WITH ANDREW J. ZETTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATION OF RANDOLPH T. PAGE, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATION OF JEREMY J. AUJERO, TO BE COMMANDER.

NAVY NOMINATION OF JOHN P. NEWTON, JR., TO BE CAPTAIN.

NAVY NOMINATION OF DANIEL W. TESTA, TO BE COMMANDER.

NAVY NOMINATION OF KEVIN J. PARKER, TO BE CAPTAIN.

NAVY NOMINATION OF MARIA V. NAVARRO, TO BE COMMANDER.

NAVY NOMINATION OF SHANE G. HARRIS, TO BE CAPTAIN.

NAVY NOMINATION OF LATANYA A. ONEAL, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH STEPHEN J. LEPP AND ENDING WITH JOHN C. RUDD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 6, 2013.

NAVY NOMINATION OF SARAH E. NILES, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF RICHARD DIAZ, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF TANYA WONG, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF KAREN R. DALLAS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH RONALD G. OSWALD AND ENDING WITH NIKITA TIHONOV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.

NAVY NOMINATIONS BEGINNING WITH CRAIG S. COLEMAN AND ENDING WITH WILLIAM R. VOLK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 16, 2013.