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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 28, 2013.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, through whom we see what we could be and what we can become, thank You for giving us another day.

In these days our Nation is faced with pressing issues, while we honor the memory of many who acted courageously a half century ago to bring greater freedoms to all Americans. Grant wisdom, knowledge, and understanding to us all, as well as an extra measure of charity.

Send Your spirit upon the Members of this people's House, who labor within these Halls under public scrutiny. Give them peace and an abundance of prudence in the work they do.

And may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. BARROW) come forward and lead the House in the Pledge of Allegiance.

Mr. BARROW of Georgia 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

SEQUESTRATION IS HERE

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

Mr. WILSON of South Carolina. Madam Speaker, at midnight tonight, the Department of Defense and other government agencies will fall victim to the President's sequester. Every American family will be affected by the shifting of funds.

In South Carolina's Second Congressional District, which I am grateful to represent, the Army's base at Fort Jackson in Columbia is expected to lose $75 million. Additionally, the Savannah River Site in Aiken and Barnwell will be forced to furlough thousands of hardworking employees and stall critical national missions due to a possible $200 million budget cut. Both of these shifts will endanger our national security.

The President and the Senate have refused to negotiate with House Republicans on a possible solution until today. House Republicans have voted twice to avoid sequestration. Our Nation has a spending problem we must address before it is too late and our debt spirals out of control. The President should change course and begin working with both Houses of Congress to tackle the national debt which threatens American families.

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

SEQUESTER

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

Mr. BARROW of Georgia. Madam Speaker, in a few hours, the so-called ''sequester'' will begin to take effect, and the things we cannot do without will be cut just the same as the things we don't need and can't afford.

What got us to this point was the failure to compromise, and what's kept us from solving this problem is that same failure to compromise. Only in Washington can so many folks agree on what the problem is, yet no solution is brought to the table.

My home State of Georgia is home to some of this country's vital military installations, including Fort Gordon in my district, the central nervous system of our national defense. Nearly $1 billion in cuts will spread across these installations and will have devastating impacts on surrounding communities.

I urge my colleagues to come back to the table, find the spending cuts we need to avoid this disaster, and begin the process of putting these partisan games behind us.

SEQUESTRATION

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

Mr. BROOKS of Alabama. Madam Speaker, in 2011, I voted against the Budget Control Act and President Obama's sequester because I believed and feared they posed a grave threat to

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national security. That fear has come true. As I stand here today, north Alabamians face job furloughs in the thousands because Washington would rather spend money on frivolous programs than protect national security.

Madam Speaker, I have voted against sequester at every opportunity. I sent a letter to the White House calling on the President to face and avoid the horrendous consequences of his sequester. I've escorted members of the House Armed Services Committee around Redstone Arsenal to help them better understand how our civilian defense workers are critical to America's security, and I have repeatedly cosponsored legislation to end the sequester.

For nearly 2 years I have been fighting sequester and the hollowing out of our Armed Forces. It's time for the President and the Senate to do the same.

SEQUESTRATION

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

Ms. JACKSON LEE. Many of my constituents ask the question of what work are we doing for them. I'm very glad this morning that we will finally end the long journey for the Violence Against Women Act and finally vote on a recognized compromise that the Senate has proposed.

But I also say that I'm not here to talk about process and blame when it comes to this pending sequester, which most Americans do not understand. But I'm ready to work, and I believe we should stay and work. We should follow the Senate plan that follows the Buffett rule and provides for modest reductions in defense and does not provide for these devastating cuts until 2014.

We can get this done, but we cannot have any compromise when one side refuses to acknowledge that it takes revenue to run this government to be able to ensure that people have the resources that they need when there's a natural disaster or that our military has the resources that they need. Or, for example, in Texas, for my colleagues who refuted the idea that I stand for children, where we're losing some 4,000 spots in Head Start, we can do something, Madam Speaker. We simply need to stay and work and follow the Senate plan.

SEQUESTRATION

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

Mr. OLSON. Madam Speaker, I rise today to ask the White House to lead and turn away from Mayan politics: the world is going to end.

This strategy over the President's automatic cuts borders on untruthful. For example, the FAA released a list of 238 regional airports that could potentially close due to the President's cuts, saying that at least 100 of them would be closed. How can the FAA list 238 at-risk airports and admit that only 100 of them will close? It's Mayan politics. 238 affected airports puts more fear in people than 100 regional airports. Even with tomorrow's spending cuts, FAA operations and facilities will have $500 million more than 2008 levels, and air traffic is lower.

More money, less traffic, and dramatic cuts? My seventh-grader would say, ''That's fuzzy math, Dad.'' It's true. He's right.

The truth will prevail.

□ 0910

STOP THE SEQUESTER

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

Ms. BROWNLEY of California. As a member of the Veterans Affairs' Committee, as an American, and as the proud Representative of Ventura County—we are home to a large naval base with a very significant veteran community—I am extremely concerned about the impact the sequester will have on our women and men and their families who have courageously served, sacrificed, and defended our country.

If Congress fails to stop the across-the-board and unnecessary cuts at this moment, so many programs that help veterans—like transitioning to civilian life and finding employment—will be reduced.

More veterans with less resources is unacceptable. Our brave men and women deserve better. Now is the time to be doing more, not less. For our veterans' sake, we need to come together to stop this sequester now.

DEBT AND OVERSPENDING

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

Mr. HULTGREN. Madam Speaker, $52,653. A lot of numbers have been associated with our skyrocketing debt and government overspending, but $52,653 is a particularly striking one and should give everyone pause as the specter of an unwanted sequester looms over the Federal budget this week. $52,653 is the amount each individual American man, woman, and child owes as of today to pay off the country's $16.6 trillion debt.

Clearly, overspending by the Federal Government has saddled us and our children with unsustainable debt, And just as clearly, any alternative must include reduction in spending.

I'm not looking for winners or losers in D.C.; I want the American people to win when we make the cuts that need to be made. Controlling spending is a necessity. Targeted spending cuts, such as the House has twice proposed and passed, is vital to the sequestration solution.

There is nothing worse than passing on a legacy to our children of a lower standard of living. Madam Speaker, we can and must deal with this issue of debt and overspending so that our children will not have to face $52,653.

SAFE CLIMATE CAUCUS

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

Mr. BLUMENAUER. Madam Speaker, while Congress is dealing with this manufactured sequester crisis, we have a real climate crisis occurring right outside the window.

There is clarity on what should be a bipartisan issue with the public. Seven out of 10 Americans believe the scientists that climate change is happening and that humans are making it worse. Every day, Americans see the impact. With record droughts and extreme storm events, 2012 set more than 3,500 monthly records for extreme heat, rain, and snow.

This week, 38 leading Republicans and national security advisors urged international action to prevent and mitigate the impact of climate change. The letter highlights the importance of immediate action and expresses national security concerns should we fail to address these issues.

We should be addressing the real climate crisis instead of dealing with a phony, made-up fiscal crisis.

PAYING TRIBUTE TO ANDREW LEWIS

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

Ms. DELBENE. Madam Speaker, I rise today to pay tribute to Andrew Lewis, who tragically and suddenly passed away this weekend.

Andrew was a volunteer leader for the Sierra Club for over 25 years, serving most recently as the chair of the Washington State chapter. He was a local leader known for his intelligence, humor, and dedication, and Andrew was also a friend.

Over the course of his life, Andrew was a strong advocate for the protection of our wildlands and rivers—natural resources that make the Pacific Northwest such a special place.

As an avid rafter, Andrew had a great love for the rivers of Washington State. His early advocacy work helped lay the groundwork that eventually led to bipartisan legislation to protect the Middle Fork, Snoqualmie, and Pratt Rivers and expand the Alpine Lakes Wilderness, a bill that I'm proud to cosponsor.

I was fortunate to get to know him when we both served on the board of our children's school. Here, I saw his passion and love for his community and his family.

Andrew was a man that was large in stature, voice, and heart. My thoughts and prayers go to his wife Maaike, son

Peter, and his entire family. He will be missed by all of us who were fortunate to have known him.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Mrs. MCMORRIS RODGERS. Madam Speaker, pursuant to House Resolution 83, I call up the bill (S. 47) to reauthorize the Violence Against Women Act of 1994, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 83, the bill is considered read.

The text of the bill is as follows:

S.47

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 ''Violence Against Women Reauthorization Act of 2013''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);

(2) by redesignating—

(A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;

(B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;

(C) paragraphs (24) through (28) as paragraphs (30) through (34), respectively;

(D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;

(E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(F) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(4) in paragraph (3), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to an unemancipated minor.'';

(5) in paragraph (4), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(6) by inserting after paragraph (5), as redesignated, the following:

''(6) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).

''(7) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.'';

(7) in paragraph (8), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (11), as redesignated, the following:

''(12) HOMELESS.—The term 'homeless' has the meaning provided in section 41403(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''governmental victim services programs'';

(10) in paragraph (19), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by inserting after paragraph (19), as redesignated, the following:

''(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

''(21) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(22) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(12) in paragraph (23), as redesignated, by striking ''services'' and inserting ''assistance'';

(13) by inserting after paragraph (24), as redesignated, the following:

''(25) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

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

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(15) in paragraph (27), as redesignated—

(A) by striking ''52'' and inserting ''57''; and

(B) by striking ''150,000'' and inserting ''250,000'';

(16) by inserting after paragraph (27), as redesignated, the following:

''(28) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

''(29) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(17) by inserting after paragraph (34), as redesignated, the following:

''(35) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

''(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

''(B) is comprised of board and general members that are representative of—

''(i) the member service providers described in subparagraph (A); and

''(ii) the tribal communities in which the services are being provided.'';

(18) by inserting after paragraph (38), as redesignated, the following:

''(39) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

''(40) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.''; and

(19) by inserting after paragraph (42), as redesignated, the following:

''(43) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

''(44) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

''(45) YOUTH.—The term 'youth' means a person who is 11 to 24 years old.''.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

''(ii) In no circumstances may—

''(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

''(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

''(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) CONFERRAL.—

''(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

''(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

''(i) the administration of grants;

''(ii) unmet needs;

''(iii) promising practices in the field; and

''(iv) emerging trends.

''(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

''(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

''(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

''(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

''(A) AUDIT REQUIREMENT.—

''(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(ii) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

''(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

''(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

''(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

''(C) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the

Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

''(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

''(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

''(iii) all reimbursements required under subparagraph (A)(v) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.''.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2014 through 2018'';

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' after ''women,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(ii) by inserting '', classifying,'' after ''identifying'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking''; and

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting '' domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) by striking ''and'' at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking ''to provide'' and inserting ''providing'';

(ii) by striking ''nonprofit nongovernmental'';

(iii) by striking the comma after ''local governments'';

(iv) in the matter following subparagraph (C), by striking ''paragraph (14)'' and inserting ''paragraph (13)''; and

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

''(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

''(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.'';

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

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

''(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) Tribal governments in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations, including culturally specific populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as needed for the planning process;'';

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;''; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(v) by adding at the end the following:

''(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting the following:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to

domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

''(2) submit to the Attorney General—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee as to their participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

''(1) funds from a subgrant awarded under this part are returned to the State; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)'';

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.''; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal, withdrawal'' after ''registration,'' each place it appears;

(B) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence''; and

(C) by striking ''victim of domestic violence'' and all that follows through ''sexual assault'' and inserting ''victim of domestic violence, dating violence, sexual assault, or stalking''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting ''dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''nonprofit, non-governmental victim services organizations,'' and inserting ''victim service providers, staff from population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (3)—

(I) by striking ''spouses'' each place it appears and inserting ''parties''; and

(II) by striking ''spouse'' and inserting ''party'';

(iv) in paragraph (4)—

(I) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence'';

(II) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(III) by inserting ''dating violence,'' after ''victim of domestic violence,''; and

(IV) by striking ''and'' at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after January 5, 2006'';

(II) by inserting '', trial of, or sentencing for'' after ''investigation of'' each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(V) by striking the period at the end and inserting ''; and'';

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(viii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2014 through 2018.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f) in paragraph (1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

''(A) victims of domestic violence; and

''(B) nonoffending parents in matters—

''(i) that involve allegations of child sexual abuse;

''(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

''(iii) in which the other parent is represented by counsel;

''(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

''(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking ''Code of Ethics'' in section (c)(2) and inserting ''Standards for Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting ''is present'' after ''Indian Country or''; and

(2) by inserting ''or presence'' after ''as a result of such travel'';

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person; or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

''(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting ''is present'' after ''Indian Country or''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds

available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

''(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

''(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''**AND LINGUISTICALLY**'';

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

''(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking ''other programs'' and all that follows and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.'';

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting ''or tribal programs and activities'' after ''nongovernmental organizations''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''; and

(3) in paragraph (4)—

(A) by inserting ''(including the District of Columbia and Puerto Rico)'' after ''The Attorney General shall allocate to each State'';

(B) by striking ''the District of Columbia, Puerto Rico,'' after ''Guam'';

(C) by striking ''0.125 percent'' and inserting ''0.25 percent''; and

(D) by striking ''The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

''(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2014 through 2018''.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

''Subtitle H—Enhanced Training and Services To End Abuse Later in Life

''SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'exploitation' has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

''(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

''(3) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

''(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

''(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

''(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

''(A) the entity is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

''(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

''(i) a law enforcement agency;

''(ii) a prosecutor's office;

''(iii) a victim service provider; and

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2014 through 2018.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''; and

(B) by adding at the end the following:

''(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of $150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of $35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, stalking, or sex trafficking and prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, stalking, or sex trafficking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

''(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

''(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, stalking, or sex trafficking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking, such as a resource person who is either on-site or on-call;

''(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, stalking, and sex trafficking and the impact of such violence on youth; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, stalking, or sex trafficking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, stalking, or sex trafficking;

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

''(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

''(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, and sex trafficking.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2014 through 2018.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2014 through 2018'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting '', when the victim of such crime elects or is unable to make such a report.''; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking ''and'' after the semicolon;

(ii) in clause (ii)—

(I) by striking ''sexual orientation'' and inserting '' national origin, sexual orientation, gender identity,''; and

(II) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.'';

(4) in paragraph (7)—

(A) by striking ''paragraph (1)(F)'' and inserting ''clauses (i) and (ii) of paragraph (1)(F)''; and

(B) by inserting after ''Hate Crime Statistics Act.'' the following: ''For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).'';

(5) by striking paragraph (8) and inserting the following:

''(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

''(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

''(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that

will be used during any institutional conduct proceeding arising from such a report.

''(B) The policy described in subparagraph (A) shall address the following areas:

''(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

''(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

''(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

''(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

''(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

''(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

''(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

''(ff) the information described in clauses (ii) through (vii); and

''(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

''(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

''(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; and

''(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

''(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

''(I) such proceedings shall—

''(aa) provide a prompt, fair, and impartial investigation and resolution; and

''(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

''(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

''(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

''(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

''(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

''(cc) of any change to the results that occurs prior to the time that such results become final; and

''(dd) when such results become final.

''(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

''(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2014 through 2018''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

''(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

''SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) 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.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

''(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

''(C) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of

the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**'';

(B) in subsection (a)(1), by striking ''fleeing'';

(C) in subsection (b)(3)—

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

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

''(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and''; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking '' employment counseling,''; and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2014 through 2018''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any activities that may compromise victim safety, including—

''(I) background checks of victims; or

''(II) clinical evaluations to determine eligibility for services;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2014 through 2018''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2014 through 2018''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting ''stalking;'' after ''sexual exploitation;''.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

''(i) is a VAWA self-petitioner;

''(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

''(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).''.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

''(7) AGE DETERMINATIONS.—

''(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464).

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(4) by inserting after subparagraph (C) the following:

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking ''The Attorney General, in the Attorney General's'' and inserting ''The Secretary of Homeland Security, in the Secretary's''; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(B) in the second sentence, by striking ''Attorney General'' and inserting ''Secretary'';

(C) in the third sentence, by striking ''Attorney General.'' and inserting ''Secretary.''; and

(D) in the fourth sentence, by striking ''Attorney General'' and inserting ''Secretary''.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).'';

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking ''a consular officer'' and inserting ''the Secretary of Homeland Security''; and

(ii) by striking ''the officer'' and inserting ''the Secretary''; and

(C) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

''(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).''; and

(3) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking ''State any'' and inserting ''State, for inclusion in the mailing described in clause (i), any''; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

''(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

''(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

''(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

''(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

''(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

''(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

''(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.''; and

(2) in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of forprofit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking ''Federal and State sex offender public registries'' and inserting ''the National Sex Offender Public Website''.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

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

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.'';

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking ''REGISTRIES.—'' and inserting ''WEBSITE.—''; and

(ii) by striking ''Registry or State sex offender public registry,'' and inserting ''Website,''; and

(B) in subparagraph (B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,'' and inserting ''Website''; and

(ii) in clause (iii)(II), by striking ''background information collected by the international marriage broker under paragraph (2)(B);'' and inserting ''signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);''; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''A penalty may be imposed under clause (i) by the Attorney General only'' and inserting ''At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General'';

(B) by amending subparagraph (B) to read as follows:

''(B) FEDERAL CRIMINAL PENALTIES.—

''(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

''(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

''(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

''(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

''(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.''; and

(C) in subparagraph (C), by striking the period at the end and inserting ''including equitable remedies.'';

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

''(6) ENFORCEMENT.—

''(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the

prosecution of civil and criminal penalties provided for by this section.

''(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.''.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking ''STUDY AND REPORT.—'' and inserting ''STUDIES AND REPORTS.—''; and

(2) by adding at the end the following:

''(4) CONTINUING IMPACT STUDY AND REPORT.—

''(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

''(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

''(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).''.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking ''except that,'' and all that follows through the end, and inserting the following: ''except that—

''(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

''(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien's physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.''.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting '', Secretary of State,'' after ''The Attorney General'';

(2) by inserting '', Department of State,'' after ''Department of Justice''; and

(3) by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

''(d) TRIBAL COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

''(A) increasing awareness of domestic violence and sexual assault against Indian women;

''(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

''(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

''(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

''(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

''(A) each tribal coalition that—

''(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) is recognized by the Office on Violence Against Women; and

''(iii) provides services to Indian tribes; and

''(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

''(3) USE OF AMOUNTS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

''(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

''(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

''(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

''(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2013'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of

Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') is amended by adding at the end the following:

''SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

''(a) DEFINITIONS.—In this section:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

''(2) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

''(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

''(4) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

''(5) PROTECTION ORDER.—The term 'protection order'—

''(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

''(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

''(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term 'special domestic violence criminal jurisdiction' means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

''(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.

''(b) NATURE OF THE CRIMINAL JURISDICTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

''(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(4) EXCEPTIONS.—

''(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

''(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

''(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse, intimate partner, or dating partner of—

''(I) a member of the participating tribe; or

''(II) an Indian who resides in the Indian country of the participating tribe.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

''(3) the right to a trial by an impartial jury that is drawn from sources that—

''(A) reflect a fair cross section of the community; and

''(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

''(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(e) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

''(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section

shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2013''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2014 and 2015''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. SPECIAL RULE FOR THE STATE OF ALASKA.

(a) EXPANDED JURISDICTION.—In the State of Alaska, the amendments made by sections 904 and 905 shall only apply to the Indian country (as defined in section 1151 of title 18, United States Code) of the Metlakatla Indian Community, Annette Island Reserve.

(b) RETAINED JURISDICTION.—The jurisdiction and authority of each Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act)—

(1) shall remain in full force and effect; and

(2) are not limited or diminished by this Act or any amendment made by this Act.

(c) SAVINGS PROVISION.—Nothing in this Act or an amendment made by this Act limits or diminishes the jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—SAFER ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Sexual Assault Forensic Evidence Reporting Act of 2013'' or the ''SAFER Act of 2013''.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to

be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).''; and

(3) by adding at the end the following new subsections:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

''(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

''(B) shall—

''(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

''(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

''(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

''(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

''(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

''(iv) provide that—

''(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

''(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

''(v) comply with all grantee reporting requirements described in paragraph (4).

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

''(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

''(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

''(i) The name of the State or unit of local government filing the report.

''(ii) The period of dates covered by the report.

''(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

''(I) are in the possession of the State or unit of local government at the reporting period;

''(II) are awaiting testing; and

''(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

''(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

''(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

''(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

''(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

''(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

''(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

''(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

''(E) OPTIONAL REPORTING.—The Attorney General shall—

''(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

''(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

''(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

''(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

''(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

''(5) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

''(C) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

''(A) how to determine—

''(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

''(ii) the preferred order in which evidence from the same case is to be tested; and

''(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

''(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

''(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

''(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

''(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

''(3) DEFINITIONS.—In this subsection, the terms 'awaiting testing' and 'possession' have the meanings given those terms in subsection (n).''.

SEC. 1003. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking ''2014'' and inserting ''2018''; and

(b) by adding at the end the following:

''(C) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).''.

SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this title, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term ''unresolved audit finding'' means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this title, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

SEC. 1006. SUNSET.

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

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

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(5) DEFINITION.—As used in this section, the term 'detention facilities operated under contract with the Department' includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking ''annoy,'';

(2) in subparagraph (C)—

(A) by striking ''annoy,''; and

(B) by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''; and

(3) in subparagraph (E), by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''.

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking ''$3,000,000'' and all that follows and inserting ''$3,000,000 for fiscal years 2014 through 2018.''.

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2014 through 2018.''.

TITLE XII—TRAFFICKING VICTIMS PROTECTION

Subtitle A—Combating International Trafficking in Persons

SEC. 1201. REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.

Section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103) is amended—

(1) in subsection (d)(7)(J), by striking ''section 105(f) of this division'' and inserting ''subsection (g)'';

(2) in subsection (e)(2)—

(A) by striking ''(2) **COORDINATION OF CERTAIN ACTIVITIES**.—'' and all that follows through ''exploitation.'';

(B) by redesignating subparagraph (B) as paragraph (2), and moving such paragraph, as so redesignated, 2 ems to the left; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left;

(3) by redesignating subsection (f) as subsection (g); and

(4) by inserting after subsection (e) the following:

''(f) REGIONAL STRATEGIES FOR COMBATING TRAFFICKING IN PERSONS.—Each regional bureau in the Department of State shall contribute to the realization of the anti-trafficking goals and objectives of the Secretary of State. Each year, in cooperation with the Office to Monitor and Combat Trafficking in Persons, each regional bureau shall submit a list of anti-trafficking goals and objectives to the Secretary of State for each country in the geographic area of responsibilities of the regional bureau. Host governments shall be informed of the goals and objectives for their particular country and, to the extent possible, host government officials should be consulted regarding the goals and objectives.''.

SEC. 1202. PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

The Trafficking Victims Protection Act of 2000 is amended by inserting after section 105 (22 U.S.C. 7103) the following:

''SEC. 105A. CREATING, BUILDING, AND STRENGTHENING PARTNERSHIPS AGAINST SIGNIFICANT TRAFFICKING IN PERSONS.

''(a) DECLARATION OF PURPOSE.—The purpose of this section is to promote collaboration and cooperation—

''(1) between the United States Government and governments listed on the annual Trafficking in Persons Report;

''(2) between foreign governments and civil society actors; and

''(3) between the United States Government and private sector entities.

''(b) PARTNERSHIPS.—The Director of the office established pursuant to section 105(e)(1) of this Act, in coordination and cooperation with other officials at the Department of State, officials at the Department of Labor, and other relevant officials of the United States Government, shall promote, build, and sustain partnerships between the United States Government and private entities, including foundations, universities, corporations, community-based organizations, and other nongovernmental organizations, to ensure that—

''(1) United States citizens do not use any item, product, or material produced or extracted with the use and labor from victims of severe forms of trafficking; and

''(2) such entities do not contribute to trafficking in persons involving sexual exploitation.

''(c) PROGRAM TO ADDRESS EMERGENCY SITUATIONS.—The Secretary of State, acting through the Director established pursuant to section 105(e)(1) of this Act, is authorized to establish a fund to assist foreign governments in meeting unexpected, urgent needs in prevention of trafficking in persons, protection of victims, and prosecution of trafficking offenders.

''(d) CHILD PROTECTION COMPACTS.—

''(1) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, the Secretary of Labor, and the heads of other relevant agencies, is authorized to provide assistance under this section for each country that enters into a child protection compact with the United States to support policies and programs that—

''(A) prevent and respond to violence, exploitation, and abuse against children; and

''(B) measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

''(2) ELEMENTS.—A child protection compact under this subsection shall establish a multi-year plan for achieving shared objectives in furtherance of the purposes of this Act. The compact should take into account, if applicable, the national child protection strategies and national action plans for human trafficking of a country, and shall describe—

''(A) the specific objectives the foreign government and the United States Government expect to achieve during the term of the compact;

''(B) the responsibilities of the foreign government and the United States Government in the achievement of such objectives;

''(C) the particular programs or initiatives to be undertaken in the achievement of such objectives and the amount of funding to be allocated to each program or initiative by both countries;

''(D) regular outcome indicators to monitor and measure progress toward achieving such objectives;

''(E) a multi-year financial plan, including the estimated amount of contributions by the United States Government and the foreign government, and proposed mechanisms to implement the plan and provide oversight;

''(F) how a country strategy will be developed to sustain progress made toward achieving such objectives after expiration of the compact; and

''(G) how child protection data will be collected, tracked, and managed to provide strengthened case management and policy planning.

''(3) FORM OF ASSISTANCE.—Assistance under this subsection may be provided in the form of grants, cooperative agreements, or contracts to or with national governments, regional or local governmental units, or nongovernmental organizations or private entities with expertise in the protection of victims of severe forms of trafficking in persons.

''(4) ELIGIBLE COUNTRIES.—The Secretary of State, in consultation with the agencies set forth in paragraph (1) and relevant officers of the Department of Justice, shall select countries with which to enter into child protection compacts. The selection of countries under this paragraph shall be based on—

''(A) the selection criteria set forth in paragraph (5); and

''(B) objective, documented, and quantifiable indicators, to the maximum extent possible.

''(5) SELECTION CRITERIA.—A country shall be selected under paragraph (4) on the basis of criteria developed by the Secretary of State in consultation with the Administrator of the United States Agency for International Development and the Secretary of Labor. Such criteria shall include—

''(A) a documented high prevalence of trafficking in persons within the country; and

''(B) demonstrated political motivation and sustained commitment by the government of such country to undertake meaningful measures to address severe forms of trafficking in persons, including prevention, protection of victims, and the enactment and enforcement of anti-trafficking laws against perpetrators.

''(6) SUSPENSION AND TERMINATION OF ASSISTANCE.—

''(A) IN GENERAL.—The Secretary may suspend or terminate assistance provided under this subsection in whole or in part for a country or entity if the Secretary determines that—

''(i) the country or entity is engaged in activities that are contrary to the national security interests of the United States;

''(ii) the country or entity has engaged in a pattern of actions inconsistent with the

criteria used to determine the eligibility of the country or entity, as the case may be; or

''(iii) the country or entity has failed to adhere to its responsibilities under the Compact.

''(B) REINSTATEMENT.—The Secretary may reinstate assistance for a country or entity suspended or terminated under this paragraph only if the Secretary determines that the country or entity has demonstrated a commitment to correcting each condition for which assistance was suspended or terminated under subparagraph (A).''.

SEC. 1203. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) TASK FORCE ACTIVITIES.—Section 105(d)(6) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(6)) is amended by inserting '', and make reasonable efforts to distribute information to enable all relevant Federal Government agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, in all headquarters offices, and in all field offices throughout the United States'' before the period at the end.

(b) CONGRESSIONAL BRIEFING.—Section 107(a)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)(2)) is amended by inserting ''and shall brief Congress annually on such efforts'' before the period at the end.

SEC. 1204. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (3)—

(A) by striking ''peacekeeping'' and inserting ''diplomatic, peacekeeping,'';

(B) by striking '', and measures'' and inserting '', a transparent system for remediating or punishing such public officials as a deterrent, measures''; and

(C) by inserting '', effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting'' before the period at the end;

(2) in paragraph (4), by inserting ''and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries'' before the period at the end;

(3) in paragraph (7)—

(A) by inserting '', including diplomats and soldiers,'' after ''public officials'';

(B) by striking ''peacekeeping'' and inserting ''diplomatic, peacekeeping,''; and

(C) by inserting ''A government's failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria.'' after ''such trafficking.'';

(4) by redesignating paragraphs (9) through (11) as paragraphs (10) through (12), respectively; and

(5) by inserting after paragraph (8) the following:

''(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with—

''(A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government's efforts to prevent trafficking, protect victims, and punish traffickers; or

''(B) the United States toward agreed goals and objectives in the collective fight against trafficking.''.

SEC. 1205. BEST PRACTICES IN TRAFFICKING IN PERSONS ERADICATION.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''with respect to the status of severe forms of trafficking in persons that shall include—'' and inserting ''describing the anti-trafficking efforts of the United States and foreign governments according to the minimum standards and criteria enumerated in section 108, and the nature and scope of trafficking in persons in each country and analysis of the trend lines for individual governmental efforts. The report should include—'';

(B) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(D) by inserting at the end the following:

''(G) a section entitled 'Promising Practices in the Eradication of Trafficking in Persons' to highlight effective practices and use of innovation and technology in prevention, protection, prosecution, and partnerships, including by foreign governments, the private sector, and domestic civil society actors.'';

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated, by adding at the end the following:

''(E) PUBLIC NOTICE.—Not later than 30 days after notifying Congress of each country determined to have met the requirements under subclauses (I) through (III) of subparagraph (D)(ii), the Secretary of State shall provide a detailed description of the credible evidence supporting such determination on a publicly available website maintained by the Department of State.''.

SEC. 1206. PROTECTIONS FOR DOMESTIC WORKERS AND OTHER NONIMMIGRANTS.

Section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting ''AND VIDEO FOR CONSULAR WAITING ROOMS'' after ''INFORMATION PAMPHLET''; and

(B) in paragraph (1)—

(i) by inserting ''and video'' after ''information pamphlet''; and

(ii) by adding at the end the following: ''The video shall be distributed and shown in consular waiting rooms in embassies and consulates appropriate to the circumstances that are determined to have the greatest concentration of employment or education-based non-immigrant visa applicants, and where sufficient video facilities exist in waiting or other rooms where applicants wait or convene. The Secretary of State is authorized to augment video facilities in such consulates or embassies in order to fulfill the purposes of this section.'';

(2) in subsection (b), by inserting ''and video'' after ''information pamphlet'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting ''and produce or dub the video'' after ''information pamphlet''; and

(B) in paragraph (2), by inserting ''and the video produced or dubbed'' after ''translated''; and

(4) in subsection (d)—

(A) in paragraph (1), by inserting ''and video'' after ''information pamphlet'';

(B) in paragraph (2), by inserting ''and video'' after ''information pamphlet''; and

(C) by adding at the end the following:

''(4) DEADLINE FOR VIDEO DEVELOPMENT AND DISTRIBUTION.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of State shall make available the video developed under subsection (a) produced or dubbed in all the languages referred to in subsection (c).''.

SEC. 1207. PREVENTION OF CHILD MARRIAGE.

(a) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

''(j) PREVENTION OF CHILD TRAFFICKING THROUGH CHILD MARRIAGE.—The Secretary of State shall establish and implement a multi-year, multi-sectoral strategy—

''(1) to prevent child marriage;

''(2) to promote the empowerment of girls at risk of child marriage in developing countries;

''(3) that should address the unique needs, vulnerabilities, and potential of girls younger than 18 years of age in developing countries;

''(4) that targets areas in developing countries with high prevalence of child marriage; and

''(5) that includes diplomatic and programmatic initiatives.''.

(b) INCLUSION OF CHILD MARRIAGE STATUS IN REPORTS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following:

''(g) CHILD MARRIAGE STATUS.—

''(1) IN GENERAL.—The report required under subsection (d) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

''(2) DEFINED TERM.—In this subsection, the term 'child marriage' means the marriage of a girl or boy who is—

''(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

''(B) younger than 18 years of age, if no such law exists.''; and

(2) in section 502B (22 U.S.C. 2304), by adding at the end the following:

''(i) CHILD MARRIAGE STATUS.—

''(1) IN GENERAL.—The report required under subsection (b) shall include, for each country in which child marriage is prevalent, a description of the status of the practice of child marriage in such country.

''(2) DEFINED TERM.—In this subsection, the term 'child marriage' means the marriage of a girl or boy who is—

''(A) younger than the minimum age for marriage under the laws of the country in which such girl or boy is a resident; or

''(B) younger than 18 years of age, if no such law exists.''.

SEC. 1208. CHILD SOLDIERS.

Section 404 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (22 U.S.C. 2370c–1) is amended—

(1) in subsection (a), by striking ''(b), (c), and (d), the authorities contained in section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)'' and inserting ''(b) through (f), the authorities contained in sections 516, 541, and 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, and 2348)''; and

(2) by adding at the end the following:

''(f) EXCEPTION FOR PEACEKEEPING OPERATIONS.—The limitation set forth in subsection (a) that relates to section 551 of the Foreign Assistance Act of 1961 shall not apply to programs that support military professionalization, security sector reform, heightened respect for human rights, peacekeeping preparation, or the demobilization and reintegration of child soldiers.''.

Subtitle B—Combating Trafficking in Persons in the United States

PART I—PENALTIES AGAINST TRAFFICKERS AND OTHER CRIMES

SEC. 1211. CRIMINAL TRAFFICKING OFFENSES.

(a) RICO AMENDMENT.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting ''section 1351 (relating to fraud in foreign labor contracting),'' before ''section 1425''.

(b) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—Section 2423(c) of title 18, United States Code, is amended by inserting ''or resides, either temporarily or permanently, in a foreign country'' after ''commerce''.

(c) UNLAWFUL CONDUCT WITH RESPECT TO DOCUMENTS.—

(1) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by adding at the end the following:

''§ 1597. Unlawful conduct with respect to immigration documents

''(a) DESTRUCTION, CONCEALMENT, REMOVAL, CONFISCATION, OR POSSESSION OF IMMIGRATION DOCUMENTS.—It shall be unlawful for any person to knowingly destroy, conceal, remove, confiscate, or possess, an actual or purported passport or other immigration document of another individual —

''(1) in the course of violating section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324);

''(2) with intent to violate section 1351 of this title or section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(3) in order to, without lawful authority, maintain, prevent, or restrict the labor of services of the individual.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

''(c) OBSTRUCTION.—Any person who knowingly obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of this section, shall be subject to the penalties described in subsection (b).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by adding at the end the following:

''1597. Unlawful conduct with respect to immigration documents.''.

SEC. 1212. CIVIL REMEDIES; CLARIFYING DEFINITION.

(a) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''section 2241(c)'' and inserting ''section 1589, 1590, 1591, 2241(c)''; and

(2) in subsection (b), by striking ''six years'' and inserting ''10 years''.

(b) DEFINITION.—

(1) IN GENERAL.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(A) by redesignating paragraphs (1) through (14) as paragraphs (2) through (15), respectively;

(B) by inserting before paragraph (2), as redesignated, the following:

''(1) ABUSE OR THREATENED ABUSE OF LAW OR LEGAL PROCESS.—The term 'abuse or threatened abuse of the legal process' means the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action.'';

(C) in paragraph (14), as redesignated, by striking ''paragraph (8)'' and inserting ''paragraph (9)''; and

(D) in paragraph (15), as redesignated, by striking ''paragraph (8) or (9)'' and inserting ''paragraph (9) or (10)''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et eq.) is amended—

(i) in section 110(e) (22 U.S.C. 7107(e))—

(I) by striking ''section 103(7)(A)'' and inserting ''section 103(8)(A)''; and

(II) by striking ''section 103(7)(B)'' and inserting ''section 103(8)(B)''; and

(ii) in section 113(g)(2) (22 U.S.C. 7110(g)(2)), by striking ''section 103(8)(A)'' and inserting ''section 103(9)(A)''.

(B) NORTH KOREAN HUMAN RIGHTS ACT OF 2004.—Section 203(b)(2) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(b)(2)) is amended by striking ''section 103(14)'' and inserting ''section 103(15)''.

(C) TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.—Section 207 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044e) is amended—

(i) in paragraph (1), by striking ''section 103(8)'' and inserting ''section 103(9)'';

(ii) in paragraph (2), by striking ''section 103(9)'' and inserting ''section 103(10)''; and

(iii) in paragraph (3), by striking ''section 103(3)'' and inserting ''section 103(4)''.

(D) VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005.—Section 111(a)(1) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f(a)(1)) is amended by striking ''paragraph (8)'' and inserting ''paragraph (9)''.

PART II—ENSURING AVAILABILITY OF POSSIBLE WITNESSES AND INFORMANTS

SEC. 1221. PROTECTIONS FOR TRAFFICKING VICTIMS WHO COOPERATE WITH LAW ENFORCEMENT.

Section 101(a)(15)(T)(ii)(III) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)(ii)(III) is amended by inserting '', or any adult or minor children of a derivative beneficiary of the alien, as'' after ''age''.

SEC. 1222. PROTECTION AGAINST FRAUD IN FOREIGN LABOR CONTRACTING.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting ''fraud in foreign labor contracting (as defined in section 1351 of title 18, United States Code);'' after ''perjury;''.

PART III—ENSURING INTERAGENCY COORDINATION AND EXPANDED REPORTING

SEC. 1231. REPORTING REQUIREMENTS FOR THE ATTORNEY GENERAL.

Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (I) through (O);

(2) by striking subparagraphs (B) and (C) and inserting the following:

''(B) the number of persons who have been granted continued presence in the United States under section 107(c)(3) during the preceding fiscal year and the mean and median time taken to adjudicate applications submitted under such section, including the time from the receipt of an application by law enforcement to the issuance of continued presence, and a description of any efforts being taken to reduce the adjudication and processing time while ensuring the safe and competent processing of the applications;

''(C) the number of persons who have applied for, been granted, or been denied a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) during the preceding fiscal year;

''(D) the number of persons who have applied for, been granted, or been denied a visa or status under clause (ii) of section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) during the preceding fiscal year, broken down by the number of such persons described in subclauses (I), (II), and (III) of such clause (ii);

''(E) the amount of Federal funds expended in direct benefits paid to individuals described in subparagraph (D) in conjunction with T visa status;

''(F) the number of persons who have applied for, been granted, or been denied a visa or status under section 101(a)(15)(U)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(i)) during the preceding fiscal year;

''(G) the mean and median time in which it takes to adjudicate applications submitted under the provisions of law set forth in subparagraph (C), including the time between the receipt of an application and the issuance of a visa and work authorization;

''(H) any efforts being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing of the applications;'';

(3) in subparagraph (N)(iii), as redesignated, by striking ''and'' at the end;

(4) in subparagraph (O), as redesignated, by striking the period at the end and inserting ''; and''; and

(5) by adding at the end the following:

''(P) the activities undertaken by Federal agencies to train appropriate State, tribal, and local government and law enforcement officials to identify victims of severe forms of trafficking, including both sex and labor trafficking;

''(Q) the activities undertaken by Federal agencies in cooperation with State, tribal, and local law enforcement officials to identify, investigate, and prosecute offenses under sections 1581, 1583, 1584, 1589, 1590, 1592, and 1594 of title 18, United States Code, or equivalent State offenses, including, in each fiscal year—

''(i) the number, age, gender, country of origin, and citizenship status of victims identified for each offense;

''(ii) the number of individuals charged, and the number of individuals convicted, under each offense;

''(iii) the number of individuals referred for prosecution for State offenses, including offenses relating to the purchasing of commercial sex acts;

''(iv) the number of victims granted continued presence in the United States under section 107(c)(3); and

''(v) the number of victims granted a visa or otherwise provided status under subparagraph (T)(i) or (U)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

''(R) the activities undertaken by the Department of Justice and the Department of Health and Human Services to meet the specific needs of minor victims of domestic trafficking, including actions taken pursuant to subsection (f) and section 202(a) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(a)), and the steps taken to increase cooperation among Federal agencies to ensure the effective and efficient use of programs for which the victims are eligible.''.

SEC. 1232. REPORTING REQUIREMENTS FOR THE SECRETARY OF LABOR.

Section 105(b) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(b)) is amended by adding at the end the following:

''(3) SUBMISSION TO CONGRESS.—Not later than December 1, 2014, and every 2 years thereafter, the Secretary of Labor shall submit the list developed under paragraph (2)(C) to Congress.''.

SEC. 1233. INFORMATION SHARING TO COMBAT CHILD LABOR AND SLAVE LABOR.

Section 105(a) of the Trafficking Victims Protection Act of 2005 (22 U.S.C. 7112(a)) is amended by adding at the end the following:

''(3) INFORMATION SHARING.—The Secretary of State shall, on a regular basis, provide information relating to child labor and forced labor in the production of goods in violation of international standards to the Department of Labor to be used in developing the list described in subsection (b)(2)(C).''.

SEC. 1234. GOVERNMENT TRAINING EFFORTS TO INCLUDE THE DEPARTMENT OF LABOR.

Section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) is amended—

(1) in the first sentence, by inserting ''the Department of Labor, the Equal Employment Opportunity Commission,'' before ''and the Department''; and

(2) in the second sentence, by inserting '', in consultation with the Secretary of Labor,'' before ''shall provide''.

SEC. 1235. GAO REPORT ON THE USE OF FOREIGN LABOR CONTRACTORS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report on the use of foreign labor contractors to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Health, Education, Labor, and Pensions of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Education and the Workforce of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) should, to the extent possible—

(1) address the role and practices of United States employers in—

(A) the use of labor recruiters or brokers; or

(B) directly recruiting foreign workers;

(2) analyze the laws that protect such workers, both overseas and domestically;

(3) describe the oversight and enforcement mechanisms in Federal departments and agencies for such laws; and

(4) identify any gaps that may exist in these protections; and

(5) recommend possible actions for Federal departments and agencies to combat any abuses.

(c) REQUIREMENTS.—The report under subsection (a) shall—

(1) describe the role of labor recruiters or brokers working in countries that are sending workers and receiving funds, including any identified involvement in labor abuses;

(2) describe the role and practices of employers in the United States that commission labor recruiters or brokers or directly recruit foreign workers;

(3) describe the role of Federal departments and agencies in overseeing and regulating the foreign labor recruitment process, including certifying and enforcing under existing regulations;

(4) describe the type of jobs and the numbers of positions in the United States that have been filled through foreign workers during each of the last 8 years, including positions within the Federal Government;

(5) describe any efforts or programs undertaken by Federal, State and local government entities to encourage employers, directly or indirectly, to use foreign workers or to reward employers for using foreign workers; and

(6) based on the information required under paragraphs (1) through (3), identify any common abuses of foreign workers and the employment system, including the use of fees and debts, and recommendations of actions that could be taken by Federal departments and agencies to combat any identified abuses.

SEC. 1236. ACCOUNTABILITY.

All grants awarded by the Attorney General under this title or an Act amended by this title shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term ''unresolved audit finding'' means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued

(B) REQUIREMENT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title or an Act amended by this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of grant funds under this title or an Act amended by this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title or an Act amended by this title during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding grants under this title or an Act amended by this title, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this title or an Act amended by this title.

(E) REIMBURSEMENT.—If an entity is awarded grant funds under this title or an Act amended by this title during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and the grant programs under this title or an Act amended by this title, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General may not award a grant under this title or an Act amended by this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this title or an Act amended by this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title or an Act amended by this title may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this title or an Act amended by this title, to host or support any expenditure for conferences that uses more than $20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy (as designated by the Deputy Attorney General) provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification indicating whether—

(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (1)(C) have been issued;

(C) all reimbursements required under paragraph (1)(E) have been made; and

(D) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

PART IV—ENHANCING STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS

SEC. 1241. ASSISTANCE FOR DOMESTIC MINOR SEX TRAFFICKING VICTIMS.

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044a) is amended to read as follows:

''SEC. 202. ESTABLISHMENT OF A GRANT PROGRAM TO DEVELOP, EXPAND, AND STRENGTHEN ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.

''(a) DEFINITIONS.—In this section:

''(1) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary for Children and Families of the Department of Health and Human Services.

''(2) ASSISTANT ATTORNEY GENERAL.—The term 'Assistant Attorney General' means the Assistant Attorney General for the Office of Justice Programs of the Department of Justice.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or unit of local government that—

''(A) has significant criminal activity involving sex trafficking of minors;

''(B) has demonstrated cooperation between Federal, State, local, and, where applicable, tribal law enforcement agencies, prosecutors, and social service providers in addressing sex trafficking of minors;

''(C) has developed a workable, multi-disciplinary plan to combat sex trafficking of minors, including—

''(i) building or establishing a residential care facility for minor victims of sex trafficking;

''(ii) the provision of rehabilitative care to minor victims of sex trafficking;

''(iii) the provision of specialized training for law enforcement officers and social service providers for all forms of sex trafficking, with a focus on sex trafficking of minors;

''(iv) prevention, deterrence, and prosecution of offenses involving sex trafficking of minors;

''(v) cooperation or referral agreements with organizations providing outreach or other related services to runaway and homeless youth; and

''(vi) law enforcement protocols or procedures to screen all individuals arrested for prostitution, whether adult or minor, for victimization by sex trafficking and by other crimes, such as sexual assault and domestic violence; and

''(D) provides assurance that a minor victim of sex trafficking shall not be required to collaborate with law enforcement to have access to residential care or services provided with a grant under this section.

''(4) MINOR VICTIM OF SEX TRAFFICKING.—The term 'minor victim of sex trafficking' means an individual who—

''(A) is younger than 18 years of age, and is a victim of an offense described in section 1591(a) of title 18, United States Code, or a comparable State law; or

''(B)(i) is not younger than 18 years of age nor older than 20 years of age;

''(ii) before the individual reached 18 years of age, was described in subparagraph (A); and

''(iii) was receiving shelter or services as a minor victim of sex trafficking.

''(5) QUALIFIED NONGOVERNMENTAL ORGANIZATION.—The term 'qualified nongovernmental organization' means an organization that—

''(A) is not a State or unit of local government, or an agency of a State or unit of local government;

''(B) has demonstrated experience providing services to victims of sex trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of sex trafficking victims; and

''(C) demonstrates a plan to sustain the provision of services beyond the period of a grant awarded under this section.

''(6) SEX TRAFFICKING OF A MINOR.—The term 'sex trafficking of a minor' means an offense described in section 1591(a) of title 18, United States Code, or a comparable State law, against a minor.

''(b) SEX TRAFFICKING BLOCK GRANTS.—

''(1) GRANTS AUTHORIZED.—

''(A) IN GENERAL.—The Assistant Attorney General, in consultation with the Assistant Secretary, may make block grants to 4 eligible entities located in different regions of the United States to combat sex trafficking of minors.

''(B) REQUIREMENT.—Not fewer than 1 of the block grants made under subparagraph (A) shall be awarded to an eligible entity with a State population of less than 5,000,000.

''(C) GRANT AMOUNT.—Subject to the availability of appropriations under subsection (g) to carry out this section, each grant made under this section shall be for an amount not less than $1,500,000 and not greater than $2,000,000.

''(D) DURATION.—

''(i) IN GENERAL.—A grant made under this section shall be for a period of 1 year.

''(ii) RENEWAL.—

''(I) IN GENERAL.—The Assistant Attorney General may renew a grant under this section for up to 3 1-year periods.

''(II) PRIORITY.—In making grants in any fiscal year after the first fiscal year in which grants are made under this section, the Assistant Attorney General shall give priority to an eligible entity that received a grant in the preceding fiscal year and is eligible for renewal under this subparagraph, taking into account any evaluation of the eligible entity conducted under paragraph (4), if available.

''(E) CONSULTATION.—In carrying out this section, the Assistant Attorney General shall consult with the Assistant Secretary with respect to—

''(i) evaluations of grant recipients under paragraph (4);

''(ii) avoiding unintentional duplication of grants; and

''(iii) any other areas of shared concern.

''(2) USE OF FUNDS.—

''(A) ALLOCATION.—Not less than 67 percent of each grant made under paragraph (1) shall be used by the eligible entity to provide residential care and services (as described in clauses (i) through (iv) of subparagraph (B)) to minor victims of sex trafficking through qualified nongovernmental organizations.

''(B) AUTHORIZED ACTIVITIES.—Grants awarded pursuant to paragraph (2) may be used for—

''(i) providing residential care to minor victims of sex trafficking, including temporary or long-term placement as appropriate;

''(ii) providing 24-hour emergency social services response for minor victims of sex trafficking;

''(iii) providing minor victims of sex trafficking with clothing and other daily necessities needed to keep such victims from returning to living on the street;

''(iv) case management services for minor victims of sex trafficking;

''(v) mental health counseling for minor victims of sex trafficking, including specialized counseling and substance abuse treatment;

''(vi) legal services for minor victims of sex trafficking;

''(vii) specialized training for social service providers, public sector personnel, and private sector personnel likely to encounter sex trafficking victims on issues related to the sex trafficking of minors and severe forms of trafficking in persons;

''(viii) outreach and education programs to provide information about deterrence and prevention of sex trafficking of minors;

''(ix) programs to provide treatment to individuals charged or cited with purchasing or attempting to purchase sex acts in cases where—

''(I) a treatment program can be mandated as a condition of a sentence, fine, suspended sentence, or probation, or is an appropriate alternative to criminal prosecution; and

''(II) the individual was not charged with purchasing or attempting to purchase sex acts with a minor; and

''(x) screening and referral of minor victims of severe forms of trafficking in persons.

''(3) APPLICATION.—

''(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Assistant Attorney General at such time, in such manner, and accompanied by such information as the Assistant Attorney General may reasonably require.

''(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

''(i) describe the activities for which assistance under this section is sought; and

''(ii) provide such additional assurances as the Assistant Attorney General determines to be essential to ensure compliance with the requirements of this section.

''(4) EVALUATION.—The Assistant Attorney General shall enter into a contract with an academic or non-profit organization that has experience in issues related to sex trafficking of minors and evaluation of grant programs to conduct an annual evaluation of each grant made under this section to determine the impact and effectiveness of programs funded with the grant.

''(c) MANDATORY EXCLUSION.—An eligible entity that receives a grant under this section that is found to have utilized grant funds for any unauthorized expenditure or otherwise unallowable cost shall not be eligible for any grant funds awarded under the grant for 2 fiscal years following the year in which the unauthorized expenditure or unallowable cost is reported.

''(d) COMPLIANCE REQUIREMENT.—An eligible entity shall not be eligible to receive a grant under this section if, during the 5 fiscal years before the eligible entity submits an application for the grant, the eligible entity has been found to have violated the terms or conditions of a Government grant program by utilizing grant funds for unauthorized expenditures or otherwise unallowable costs.

''(e) ADMINISTRATIVE CAP.—The cost of administering the grants authorized by this section shall not exceed 3 percent of the total amount appropriated to carry out this section.

''(f) AUDIT REQUIREMENT.—For fiscal years 2016 and 2017, the Inspector General of the Department of Justice shall conduct an audit of all 4 eligible entities that receive block grants under this section.

''(g) MATCH REQUIREMENT.—An eligible entity that receives a grant under this section shall provide a non-Federal match in an amount equal to not less than—

''(1) 15 percent of the grant during the first year;

''(2) 25 percent of the grant during the first renewal period;

''(3) 40 percent of the grant during the second renewal period; and

''(4) 50 percent of the grant during the third renewal period.

''(h) NO LIMITATION ON SECTION 204 GRANTS.—An entity that applies for a grant under section 204 is not prohibited from also applying for a grant under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $8,000,000 to the Attorney General for each of the fiscal years 2014 through 2017 to carry out this section.

''(j) GAO EVALUATION.—Not later than 30 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains—

''(1) an evaluation of the impact of this section in aiding minor victims of sex trafficking in the jurisdiction of the entity receiving the grant; and

''(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate.''.

(b) SUNSET PROVISION.—The amendment made by subsection (a) shall be effective during the 4-year period beginning on the date of the enactment of this Act.

SEC. 1242. EXPANDING LOCAL LAW ENFORCEMENT GRANTS FOR INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKING.

Section 204 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking '', which involve United States citizens, or aliens admitted for permanent residence, and'';

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;''; and

(D) in subparagraph (C), as redesignated, by inserting ''and prioritize the investigations and prosecutions of those cases involving minor victims'' after ''sex acts'';

(2) by redesignating subsection (d) as subsection (e);

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

''(d) NO LIMITATION ON SECTION 202 GRANT APPLICATIONS.—An entity that applies for a grant under section 202 is not prohibited from also applying for a grant under this section.'';

(4) in subsection (e), as redesignated, by striking ''$20,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$10,000,000 for each of the fiscal years 2014 through 2017''; and

(5) by adding at the end the following:

''(f) GAO EVALUATION AND REPORT.—Not later than 30 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of and submit to Congress a report evaluating the impact of this section on—

''(1) the ability of law enforcement personnel to identify victims of severe forms of trafficking in persons and investigate and prosecute cases against offenders, including offenders who engage in the purchasing of commercial sex acts with a minor; and

''(2) recommendations, if any, regarding any legislative or administrative action the Comptroller General determines appropriate to improve the ability described in paragraph (1).''.

SEC. 1243. MODEL STATE CRIMINAL LAW PROTECTION FOR CHILD TRAFFICKING VICTIMS AND SURVIVORS.

Section 225(b) of the Trafficking Victims Reauthorization Act of 2008 (22 U.S.C. 7101 note) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

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

(3) by inserting after paragraph (1) the following:

''(2) protects children exploited through prostitution by including safe harbor provisions that—

''(A) treat an individual under 18 years of age who has been arrested for engaging in, or attempting to engage in, a sexual act with another person in exchange for monetary compensation as a victim of a severe form of trafficking in persons;

''(B) prohibit the charging or prosecution of an individual described in subparagraph (A) for a prostitution offense;

''(C) require the referral of an individual described in subparagraph (A) to appropriate service providers, including comprehensive service or community-based programs that provide assistance to child victims of commercial sexual exploitation; and

''(D) provide that an individual described in subparagraph (A) shall not be required to prove fraud, force, or coercion in order to receive the protections described under this paragraph;''.

Subtitle C—Authorization of Appropriations

SEC. 1251. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4))—

(A) by striking ''$2,000,000'' and inserting ''$1,000,000''; and

(B) by striking ''2008 through 2011'' and inserting ''2014 through 2017''; and

(2) in section 113 (22 U.S.C. 7110)—

(A) subsection (a)—

(i) by striking ''$5,500,000 for each of the fiscal years 2008 through 2011'' each place it appears and inserting ''$2,000,000 for each of the fiscal years 2014 through 2017'';

(ii) by inserting '', including regional trafficking in persons officers,'' after ''for additional personnel,''; and

(iii) by striking '', and $3,000 for official reception and representation expenses'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''$12,500,000 for each of the fiscal years 2008 through 2011'' and inserting ''$14,500,000 for each of the fiscal years 2014 through 2017''; and

(ii) in paragraph (2), by striking ''to the Secretary of Health and Human Services'' and all that follows and inserting ''$8,000,000 to the Secretary of Health and Human Services for each of the fiscal years 2014 through 2017.'';

(C) in subsection (c)(1)—

(i) in subparagraph (A), by striking ''2008 through 2011'' each place it appears and inserting ''2014 through 2017'';

(ii) in subparagraph (B)—

(I) by striking ''$15,000,000 for fiscal year 2003 and $10,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$10,000,000 for each of the fiscal years 2014 through 2017''; and

(II) by striking ''2008 through 2011'' and inserting ''2014 through 2017''; and

(iii) in subparagraph (C), by striking ''2008 through 2011'' and inserting ''2014 through 2017'';

(D) in subsection (d)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and moving such paragraphs 2 ems to the left;

(ii) in the paragraph (1), as redesignated, by striking ''$10,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$11,000,000 for each of the fiscal years 2014 through 2017''; and

(iii) in paragraph (3), as redesignated, by striking ''to the Attorney General'' and all that follows and inserting ''$11,000,000 to the Attorney General for each of the fiscal years 2014 through 2017.'';

(E) in subsection (e)—

(i) in paragraph (1), by striking ''$15,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$7,500,000 for each of the fiscal years 2014 through 2017''; and

(ii) in paragraph (2), by striking ''$15,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$7,500,000 for each of the fiscal years 2014 through 2017'';

(F) in subsection (f), by striking ''$10,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$5,000,000 for each of the fiscal years 2014 through 2017''; and

(G) in subsection (i), by striking ''$18,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$10,000,000 for each of the fiscal years 2014 through 2017''.

SEC. 1252. ADJUSTMENT OF AUTHORIZATION LEVELS FOR THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

The Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164) is amended—

(1) by striking section 102(b)(7); and

(2) in section 201(c)(2), by striking ''$1,000,000 for each of the fiscal years 2008 through 2011'' and inserting ''$250,000 for each of the fiscal years 2014 through 2017''.

Subtitle D—Unaccompanied Alien Children

SEC. 1261. APPROPRIATE CUSTODIAL SETTINGS FOR UNACCOMPANIED MINORS WHO REACH THE AGE OF MAJORITY WHILE IN FEDERAL CUSTODY.

Section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)) is amended—

(1) by striking ''Subject to'' and inserting the following:

''(A) MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.—Subject to''; and

(2) by adding at the end the following:

''(B) ALIENS TRANSFERRED FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEPARTMENT OF HOMELAND SECURITY CUSTODY.—If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien's danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.''.

SEC. 1262. APPOINTMENT OF CHILD ADVOCATES FOR UNACCOMPANIED MINORS.

Section 235(c)(6) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary''; and

(2) by striking ''and criminal''; and

(3) by adding at the end the following:

''(B) APPOINTMENT OF CHILD ADVOCATES.—

''(i) INITIAL SITES.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall appoint child advocates at 3 new immigration detention sites to provide independent child advocates for trafficking victims and vulnerable unaccompanied alien children.

''(ii) ADDITIONAL SITES.—Not later than 3 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary shall appoint child advocates at not more than 3 additional immigration detention sites.

''(iii) SELECTION OF SITES.—Sites at which child advocate programs will be established under this subparagraph shall be located at immigration detention sites at which more than 50 children are held in immigration custody, and shall be selected sequentially, with priority given to locations with—

''(I) the largest number of unaccompanied alien children; and

''(II) the most vulnerable populations of unaccompanied children.

''(C) RESTRICTIONS.—

''(i) ADMINISTRATIVE EXPENSES.—A child advocate program may not use more that 10 percent of the Federal funds received under this section for administrative expenses.

''(ii) NONEXCLUSIVITY.—Nothing in this section may be construed to restrict the ability

of a child advocate program under this section to apply for or obtain funding from any other source to carry out the programs described in this section.

''(iii) CONTRIBUTION OF FUNDS.—A child advocate program selected under this section shall contribute non-Federal funds, either directly or through in-kind contributions, to the costs of the child advocate program in an amount that is not less than 25 percent of the total amount of Federal funds received by the child advocate program under this section. In-kind contributions may not exceed 40 percent of the matching requirement under this clause.

''(D) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, and annually thereafter, the Secretary of Health and Human Services shall submit a report describing the activities undertaken by the Secretary to authorize the appointment of independent Child Advocates for trafficking victims and vulnerable unaccompanied alien children to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(E) ASSESSMENT OF CHILD ADVOCATE PROGRAM.—

''(i) IN GENERAL.—As soon as practicable after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the Child Advocate Program operated by the Secretary of Health and Human Services.

''(ii) MATTERS TO BE STUDIED.—In the study required under clause (i), the Comptroller General shall— collect information and analyze the following:

''(I) analyze the effectiveness of existing child advocate programs in improving outcomes for trafficking victims and other vulnerable unaccompanied alien children;

''(II) evaluate the implementation of child advocate programs in new sites pursuant to subparagraph (B);

''(III) evaluate the extent to which eligible trafficking victims and other vulnerable unaccompanied children are receiving child advocate services and assess the possible budgetary implications of increased participation in the program;

''(IV) evaluate the barriers to improving outcomes for trafficking victims and other vulnerable unaccompanied children; and

''(V) make recommendations on statutory changes to improve the Child Advocate Program in relation to the matters analyzed under subclauses (I) through (IV).

''(iii) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit the results of the study required under this subparagraph to—

''(I) the Committee on the Judiciary of the Senate;

''(II) the Committee on Health, Education, Labor, and Pensions of the Senate;

''(III) the Committee on the Judiciary of the House of Representatives; and

''(IV) the Committee on Education and the Workforce of the House of Representatives.

''(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary and Human Services to carry out this subsection—

''(i) $1,000,000 for each of the fiscal years 2014 and 2015; and

''(ii) $2,000,000 for each of the fiscal years 2016 and 2017.''.

SEC. 1263. ACCESS TO FEDERAL FOSTER CARE AND UNACCOMPANIED REFUGEE MINOR PROTECTIONS FOR CERTAIN U VISA RECIPIENTS.

Section 235(d)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(d)(4)) is amended—

(1) in subparagraph (A),

(A) by striking ''either'';

(B) by striking ''or who'' and inserting a comma; and

(C) by inserting '', or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),'' before '', shall be eligible''; and

(2) in subparagraph (B), by inserting '', or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),'' after ''(8 U.S.C. 1101(a)(27)(J))''.

SEC. 1264. GAO STUDY OF THE EFFECTIVENESS OF BORDER SCREENINGS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study examining the effectiveness of screenings conducted by Department of Homeland Security personnel in carrying out section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)).

(2) STUDY.—In carrying out paragraph (1), the Comptroller General shall take into account—

(A) the degree to which Department of Homeland Security personnel are adequately ensuring that—

(i) all children are being screened to determine whether they are described in section 235(a)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act;

(ii) appropriate and reliable determinations are being made about whether children are described in section 235(a)(2)(A) of such Act, including determinations of the age of such children;

(iii) children are repatriated in an appropriate manner, consistent with clauses (i) through (iii) of section 235(a)(2)(C) of such Act;

(iv) children are appropriately being permitted to withdraw their applications for admission, in accordance with section 235(a)(2)(B)(i) of such Act;

(v) children are being properly cared for while they are in the custody of the Department of Homeland Security and awaiting repatriation or transfer to the custody of the Secretary of Health and Human Services; and

(vi) children are being transferred to the custody of the Secretary of Health and Human Services in a manner that is consistent with such Act; and

(B) the number of such children that have been transferred to the custody of the Department of Health and Human Services, the Federal funds expended to maintain custody of such children, and the Federal benefits available to such children, if any.

(3) ACCESS TO DEPARTMENT OF HOMELAND SECURITY OPERATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for the purposes of conducting the study described in subsection (a), the Secretary shall provide the Comptroller General with unrestricted access to all stages of screenings and other interactions between Department of Homeland Security personnel and children encountered by the Comptroller General.

(B) EXCEPTIONS.—The Secretary shall not permit unrestricted access under subparagraph (A) if the Secretary determines that the security of a particular interaction would be threatened by such access.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the commencement of the study described in subsection (a), the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the Commission's findings and recommendations.

The SPEAKER pro tempore. After 1 hour of debate on the bill equally divided and controlled by the majority leader and the minority leader or their designees, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of Rules Committee print 113–2, if offered by the majority leader or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS) and the gentlewoman from California (Ms. PELOSI) each will control 30 minutes.

The Chair recognizes the gentlewoman from Washington.

GENERAL LEAVE

Mrs. MCMORRIS RODGERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 47, currently under consideration.

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

There was no objection.

Mrs. MCMORRIS RODGERS. Madam Speaker, I yield myself such time as I may consume.

Today, as we consider the Violence Against Women Act, I'd like to start by thanking our majority leader, ERIC CANTOR, and many Republicans in the House for their time and their commitment to this important issue.

The Violence Against Women Act first passed on the floor of this very House nearly two decades ago, and it has long enjoyed bipartisan support. Years later—after two reauthorizations, a pivotal Supreme Court case, and a nationwide expansion of laws condemning violence against women—Republicans are committed to protecting victims of violence and putting offenders behind bars. That's why we are bringing it to the floor today.

It's important to protect all women against acts of domestic violence and other violent crimes and ensure that resources go directly to the victims. Because that is what this bill is really about: It's about people.

It's time to remember why this bill passed nearly two decades ago. Protecting women was our first priority then, and it should be our first priority now.

I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I yield myself 1 minute.

Madam Speaker, when Congress enacted the original Violence Against Women Act nearly two decades ago, we sent a very clear and immediate message to the American people: no—and I emphasize ''no''—woman would ever be forced to suffer in silence in the face of abuse. No one would ever be forced to fear for their lives and their safety in their own homes because of domestic violence. That promise formed the foundation of our work then, and it has served as a cornerstone for our efforts in the years since to reauthorize and strengthen this landmark law.

Even as the times have changed, our commitments have remained the same, and strong, yet over the years we have always sought out ways to improve this legislation. Today on the floor of the House we will have a very clear choice. We have the choice to support the bipartisan legislation that has passed in the United States Senate. It passed 78–22. Seventy-eight percent of the Senate voted for this legislation. A majority of the Republicans in the Senate supported this legislation. All of the women in the Senate—Democrats and Republicans alike—support the bipartisan legislation that I hope we will have an opportunity to vote on today on the floor of the House.

In contrast, we have the House Republican proposal, which, while described in such lovely terms, is a step backward for the women in America and those who suffer domestic violence or sexual assault.

□ 0920

It's really hard to explain why, what eyes are the Republicans looking through, that they do not see the folly of their ways on this legislation that they are proposing. Not only is it much weaker than the Senate bill; it is much weaker than current law. And that is why whatever groups you want to name, whether it's 1,300 groups opposed from A to Y—we don't have a Z—any groups that have anything to do with this matter throughout our country, in every State, oppose the Republican legislation that is on the floor today.

This is what the American Bar Association has stated in its letter to Members in opposition to the Republican bill. It says:

> The House substitute eliminates certain critical improvements and actually rolls back some provisions of the law that have been successful.

So let's understand the difference between these two pieces of legislation that are on the floor today. Our bill, again, a reflection of the bipartisan bill in the Senate, says to all American women: you will be protected. The Republican bill says to the women of America: we want to protect America's women, everybody step forward—who is an American woman. Not so fast if you're from the immigrant community, if you are a Native American, or if you happen to be part of the LGBT community.

It's just not right. America has always been, and our Constitution demonstrates, a country of expanding opportunity, protection, and diminishing discrimination. And today on the floor of the House, the Republican bill discriminates against a woman if she is lesbian or gay or whatever, LGBT, a member of that community; discriminates against a woman if she lives on a reservation and has been assaulted by someone not from the reservation; discriminates against women in terms of their immigration status—exactly the women who are the most vulnerable and who are in situations where there's a power over them, whether it's immigration law or whatever. The most in need of this bill are excluded by the Republican—the Republican proposal.

So this Republican proposal is nothing to be proud of. It must be defeated, and its defeat will enable us to bring to the floor the Senate's bipartisan, overwhelmingly passed and supported legislation which strengthens current law, not weakens it, and expands the legislation which was passed.

It has not been a bipartisan issue. I was here when the bill passed before. I saw the great work of Pat Schroeder and of LOUISE SLAUGHTER, who argued so beautifully for this legislation yesterday as the ranking Democrat on the Rules Committee. I salute the work of JOE BIDEN, who was really the author. Without Vice President BIDEN, at that time there would not have been a Violence Against Women Act. I am so proud of the work of our chairman, a leader on this legislation then and now, Chairman JOHN CONYERS, former chair of the Judiciary Committee, now-ranking member. We will be hearing more from him shortly. He has been there steady and strong as a champion in the fight to end violence against women. Thank you.

Our legislation today, the Democratic proposal, is really a bipartisan proposal from the Senate that is authored and presented by Congresswoman GWEN MOORE of Wisconsin. Congresswoman GWEN MOORE has shared her own personal story with us. The strength of her knowledge of the issue, whether it's knowledge of the legislation or knowledge of the trauma of domestic violence and assault, is something that has impressed so many of us. And when we pass this legislation—and we will—it will be in large measure because of her leadership, her persistence, her wisdom, her knowledge of this issue and the difference that every word in the legislation means in the homes of America and for women who are at risk.

Now, who thinks this is a good idea? I don't know. I hear the gentlewoman, who commands great respect in this body, describe this bill as if it is a good thing. It is not. Why does this take so long? It has been over 500 days, Madam Speaker, 500 days, my colleagues, since the expiration of the Violence Against Women Act. Last spring, almost 1 year ago, April of last year, the Senate, in a bipartisan way, passed the Violence Against Women Act—in a bipartisan way.

Months have gone by with no reauthorization. Congress ended. A new Congress came in, and the Senate, once again voted—and again in a strong, bipartisan way—for legislation. The House Republicans want to be odd man out on this, or odd person out on this, and have a bill that weakens current law as well as does not rise to the occasion of changing times that the Senate bill does.

Others of my colleagues will go into more of the specifics of it. It's just too much to put into the RECORD of all of the groups who oppose the House bill. It is almost unanimous. The only people who were holding out were those who were hopeful that something, that light would be shed on this, on the Republican side of the aisle. But this is a remarkable day because we have clarity. And between the two proposals that are coming forth, one of them has the support of Democrats and Republicans in the Senate, Democrats in the House, and the President of the United States stands ready to sign it. The other is opposed by almost everybody that has anything to do with addressing the challenge of violence against women, and we have the documentation to prove that without going into the specifics.

I just want to say how proud I am of Congresswoman GWEN MOORE. She comes from Wisconsin, and she is a respected leader in the House. She has made this, I would say, her life's work. But she has a number of things on her agenda. She has made a tremendous difference, not only in terms of this legislation, but more importantly in terms of what it means, what it means in the lives of America's women—all of America's women.

With that, Madam Speaker, I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Madam Speaker, just to make a couple of clarifications, number one, the House, led by the Republicans, passed legislation in early May last year to reauthorize the Violence Against Women Act and, number two, funding has continued, $599 million.

At this time, I'm pleased to yield 2 minutes to the gentleman from North Dakota, KEVIN CRAMER.

Mr. CRAMER. Madam Speaker, just under 3 years ago, a 2-year-old little boy in Bismarck, North Dakota, watched for half an hour while his stepfather beat his mother to death. Today, that little boy is my 5-year-old son. Kris and I were blessed, and are blessed, to have been able to adopt Abel into our family where we work every day to dilute the memories of that awful night and many previously to it with new memories of love and affection.

I know the scourge of violence against women personally. It is not an abstract concept to my family. It's very real. That is why I support and will vote today for the Violence Against Women Act, because I want the shelters and programs that keep

women safe to be well funded. I want the advocates of change to have the resources to turn victims into victors. I want law enforcement officers and prosecutors to have the tools to impose justice on behalf of my son and other women and children. It is not just theoretical to me. It's personal to me.

While I support the Violence Against Women Act because it is personal, I support this amendment because it's principled. Our Constitution in its genius guarantees due process—due process—to the accused. The concept of ''innocent until proven guilty'' is known as the cornerstone of American justice. It is what gives moral authority to our system of justice.

By codifying the language acknowledging ''inherent sovereignty,'' I fear we risk giving up the moral high ground for a political slogan that does nothing to protect the victims of violence.

□ 0930

Even if you are willing to rationalize trading justice through due process guaranteed in the 5th and 14th Amendments of our Constitution we pledged to uphold, please consider the damage we will have done if a court overturns this act and its protections because we wanted a good political slogan more than a good law.

Friends, let's vote for the Violence Against Women Act that not only protects the vulnerable in our society, but also protects the civil liberties upon which our system of justice is built.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from Wisconsin, the champion on fighting violence against women, Congresswoman MOORE.

Ms. MOORE. Madam Speaker, as I stand under the ''E Pluribus Unum,'' I pray that this body will do as the Senate has done and come together as one to protect all women from violence.

As I think about the LGBT victims that are not here, the native women that are not here, the immigrants who are not included in this bill, I would say, as Sojourner Truth would say, Ain't they women? They deserve protections. And we talk about the constitutional rights. Don't women on tribal lands deserve the constitutional right of equal protection and not to be raped and battered and beaten and dragged back onto native lands because they know they can be raped with impunity? Ain't they women?

Once again we stand at an important moment in history, when the House stands poised to choose between the Republican ''alternative'' to the Violence Against Women Reauthorization Act and the bipartisan, comprehensive Senate bill.

We can choose the real VAWA—which is the Senate bill—that will take positive steps towards ensuring the safety of all women. Or we can choose the House GOP VAWA bill. Now this bill may look good on the surface, bearing the same bill number as the Senate bill. But it is really a wolf in sheep's clothing and would exclude victims and weaken the strong, bipartisan Senate bill.

The choice is ours to make, and the choice is clear.

It pains me to say that House Republicans took the Senate bill, which received such a strong bipartisan vote—winning the support of all Democrats, all female Senators, and a majority of Republicans—and transformed it into something nearly unrecognizable.

I have been a proud sponsor of the House version of the Senate bill—H.R. 11—and it has truly been rewarding to work to advance this legislation in the House. This bill reflects years upon years of analysis and best practices, and input from law enforcement, victims, service providers, and many more.

But beyond the updates that have been recommended by the experts—the Senate bill is meaningful to me because of the people it will allow us to reach. I know how it feels to survive a traumatic experience and not have access to services. It is simply heart-breaking to think that every day we delay, there are women, and men, across this country who have nowhere to turn.

The Senate version of the VAWA bill, which we will thankfully have the opportunity to consider on the House floor today, would be the one that actually offers hope—to: LGBT victims, tribal victims, women on college campuses, immigrants, rape survivors waiting for justice, and human trafficking victims.

The Republican alternative, on the other hand, is a shadow of the bill these victims need.

I have a number of concerns about the House alternative. Several of the advocacy groups have determined that this legislation rolls back existing protections for victims, much like the bill we considered last year here in the House.

But I'm also concerned about the reality that this House bill further marginalizes the most vulnerable populations of victims. It amazes me, that my Republican colleagues would rather be exclusive than inclusive.

The House bill removes protections for LGBT victims, who face domestic and sexual violence at rates equal to or greater than the rest of us, but who often face barriers to receiving services. Are LGBT women not worthy of protection?

The House bill fails to offer meaningful protections for tribal victims, though domestic violence in tribal communities is an epidemic. Are tribal women not worthy of protection?

The House bill does not include protections for our students on college campuses, though we know that college campuses—which are supposed to be the site of learning and transformation and personal growth—are all too often the site of horrifying assaults against vulnerable young women. Are our young college women students not worthy of protection?

The House bill removes the human trafficking legislation that passed with the support of a whopping 93 Senators. Are we unwilling to protect our women who are being sold throughout this country and abroad like chattel? Are they not worthy of protection?

The House bill is weaker in almost every way, for every group of victims. They even pared down the pieces that have not gained much attention, perhaps assuming we wouldn't notice—like the housing protections that allow victims of violence to quickly get out of dangerous homes and into homes that will keep them safe from further abuse and harm.

Implementing the House GOP VAWA bill would set the plight of women and our country as a whole back indefinitely. But we have a choice and the right choice would be to support the strong, bipartisan Senate version of VAWA—S. 47.

S. 47, the Senate bill. The Senate bill:

Renews successful programs such as STOP Grants and Transitional Housing Assistance Grants, legal assistance for victims, and many others that have helped law enforcement, prosecutors, and victim service providers assist women in need and hold perpetrators accountable.

Includes a new focus on sexual assault—due to the ongoing reality of inadequate reporting, enforcement, and services for victims—including a requirement that STOP grant recipients set aside 20 percent of their funds for sexual assault-related programs.

Includes new tools and best practices for reducing homicide by training law enforcement, victims service providers, and court personnel to intervene more effectively and quickly when they connect with higher-risk victims.

And, of course, the bill improves protections for immigrant survivors, Native American women, and LGBT victims.

As we have debated this bill over the past year or so, I have felt like I was in the Twilight Zone. Some alternate reality, where the passage of a bill; a bill that is supposed to protect all women; a bill that not too long ago would just seem like common sense; a bill that has previously enjoyed broad bipartisan support would be held up and watered down for purely partisan reasons. I found myself asking, ''when will it end?''

The answer to that question is that it ends today. Right now. It is time to put up or shut up. On behalf of all victims and survivors of sexual or domestic assault, I challenge all of my colleagues to make the right choice. We all know that the Senate bill is the real comprehensive Violence Against Women Legislation that will protect all women. And we must vote against the House GOP VAWA and pass the Senate version of VAWA now. Women won't wait any longer. Now is the time to show the people of this country that we value the lives of all women.

WHY SECTION 904 OF S. 47 IS CONSTITUTIONAL UNDER THE SUPREME COURT'S PRECEDENT IN UNITED STATES V. LARA

BASED UPON HEARING BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS, S. HRG. 112–489, AT 129–34(2011) (RESPONSES TO QUESTIONS FOR THE RECORD OF THOMAS J. PERRELLI, ASSOCIATE ATTORNEY GENERAL)

Section 904 of S. 47, the Senate-passed version of the Violence Against Women Reauthorization Act of 2013, is constitutional under the U.S. Supreme Court's precedent in *United States* v. *Lara*, 541 U.S. 193 (2004). In Lara, the Supreme Court addressed a Federal statute providing that Indian tribes' governmental powers include ''the inherent power of Indian tribes, hereby recognized and affirmed, to exercise criminal jurisdiction over all Indians,'' including Indians who are not members of the prosecuting tribe (i.e., ''nonmember Indians''). Id. at 210 (appendix, quoting the statute). The Court held generally that Congress has the constitutional power to relax restrictions on the exercise of tribes' inherent legal authority, id. at 196, and more specifically that ''the Constitution authorizes Congress to permit tribes, as an exercise of their inherent tribal authority, to prosecute nonmember Indians,'' id. at 210.

The Senate VAWA reauthorization bill, S. 47, uses language that is nearly identical to the statutory language at issue in Lara: Specifically, Section 904 of the Senate bill provides that a tribe's governmental powers

''include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons,'' including non-Indians. As Lara strongly suggests, Congress has the constitutional authority to enact this statute.

The central question raised in Lara was whether Congress has the constitutional power to recognize Indian tribes' ''inherent'' authority to prosecute nonmembers. The Court's conclusion that Congress did indeed have this power under the Federal Constitution rested on six considerations, all of which apply to Section 904 of the Senate bill as well:

(1) ''the Constitution grants Congress broad general powers to legislate in respect to Indian tribes,'' id. at 200;

(2) ''Congress, with this Court's approval, has interpreted the Constitution's 'plenary' grants of power as authorizing it to enact legislation that both restricts and, in turn, relaxes those restrictions on tribal sovereign authority,'' id. at 202;

(3) ''Congress' statutory goal—to modify the degree of autonomy enjoyed by a dependent sovereign that is not a State—is not an unusual legislative objective,'' id. at 203;

(4) there is ''no explicit language in the Constitution suggesting a limitation on Congress' institutional authority to relax restrictions on tribal sovereignty previously imposed by the political branches,'' id. at 204;

(5) ''the change at issue here is a limited one, . . . [largely concerning] a tribe's authority to control events that occur upon the tribe's own land,'' id.; and

(6) the Court's ''conclusion that Congress has the power to relax the restrictions imposed by the political branches on the tribes' inherent prosecutorial authority is consistent with [the Supreme Court's] earlier cases,'' id. at 205.

Each of these six considerations also applies to Section 904 of the Senate bill. That is self-evident for the first four of those six considerations.

As to the fifth consideration, like the statute at issue in Lara, Section 904 of the Senate bill would effectuate only a limited change. Section 904 would touch only those criminal acts that occur in the Indian country of the prosecuting tribe and therefore would not cover off-reservation crimes. Section 904 would affect only those crimes that have Indian victims. Tribal courts could not try cases involving only non-Indians. Unlike the statute at issue in Lara, which covered all types of crimes, Section 904 is narrowly focused on a particular subset of crimes: those involving domestic violence, crimes of dating violence, and criminal violations of protection orders. The term ''domestic violence'' is expressly defined in Section 904 to deal with violence committed by the victim's current or former spouse, by a person with whom the victim shares a child in common, or by a person who is cohabiting or has cohabited with the victim as a spouse. Similarly, Section 904 expressly defines the term ''dating violence'' to mean violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Likewise, protection orders typically involve spouses or intimate partners.

In combination, these three features of Section 904—being limited to narrow categories of crimes such as domestic violence and dating violence, the requirement that the crime occurred in the prosecuting tribe's Indian country, and the requirement that the victim be an Indian—will confine prosecutions to conduct that seriously threatens Indians' health and welfare and is committed by persons who, though non-Indian, have entered into consensual relationships with the tribe or its members. The paradigmatic example of a crime covered by Section 904 would be an assault by a non-Indian husband against his Indian wife in their home on the reservation. Section 904 would not cover crimes involving two non-Indians, two strangers, or two persons who lack ties to the Indian tribe.

Section 904 is also limited in its impact on non-tribal jurisdictions. Under Section 904, tribes would exercise criminal jurisdiction concurrently, not exclusively. The Act would not create or eliminate any Federal or State criminal jurisdiction over Indian country. Nor would it affect the authority of the United States or any State to investigate and prosecute crimes in Indian country.

In most respects, then, Section 904 of the Senate bill is far narrower than the statute upheld by the Supreme Court in Lara.

As to the sixth consideration analyzed by the Lara Court, concerning the Supreme Court's precedents, it is noteworthy that in *Oliphant* v. *Suquamish Indian Tribe*, 435 U.S. 191 (1978), the key precedent here, the Court suggested that Congress has the constitutional authority to recognize and thus restore Indian tribes' inherent power to exercise criminal jurisdiction over non-Indians. Id. at 195 & n.6, 210–12. Indeed, the Oliphant Court expressly stated that the increasing sophistication of tribal court systems, the Indian Civil Rights Act's protection of defendants' procedural rights, and the prevalence of non-Indian crime in Indian country are all ''considerations for Congress to weigh in deciding whether Indian tribes should finally be authorized to try non-Indians.'' Id. at 212.

As the Lara Court explained, the Oliphant decision ''did not set forth constitutional limits that prohibit Congress from changing the relevant legal circumstances, i.e., from taking actions that modify or adjust the tribes' status.'' Lara, 541 U.S. at 205 (citing Oliphant, 435 U.S. at 209–10). Oliphant ''make[s] clear that the Constitution does not dictate the metes and bounds of tribal autonomy,'' and the Federal courts should not ''second-guess the political branches' own determinations'' about those metes and bounds. Id. In short, under both Oliphant and Lara, it is constitutional for ''Congress to change 'judicially made' federal Indian law through [the] kind of legislation'' that the Senate is currently considering. Id. at 207.

After analyzing the six considerations listed above and concluding that Congress can recognize tribes' inherent authority to prosecute nonmembers, the Court responded to three ancillary arguments that Mr. Lara had raised. Each of those arguments is also well addressed by Section 904 of the Senate bill.

First, Mr. Lara argued that the Indian Civil Rights Act does not protect an indigent defendant's constitutional right to appointed counsel in cases imposing a term of imprisonment. Id. at 207. But under the Senate bill, in any case in which a term of imprisonment of any length may be imposed, the tribe must provide to an indigent defendant—at the tribe's expense—the effective assistance of a licensed defense attorney at least equal to that guaranteed by the United States Constitution.

Second, Mr. Lara argued that the statute at issue there made ''all Indians'' subject to tribal prosecution while excluding all non-Indians, which he claimed violated the Equal Protection Clause. The Court did not address the argument because it would not have altered the outcome of Mr. Lara's case. But in any event, no such argument could be made against Section 904 of the Senate bill, because Section 904 recognizes tribes' ''inherent power . . . to exercise special domestic violence criminal jurisdiction over *all* persons'' (emphasis added). So the plain text of this legislation, unlike the statute at issue in Lara, does not distinguish nonmember Indians from non-Indians.

Third, Mr. Lara argued that United States citizens cannot be tried and convicted by a political body that does not include them unless the citizens are provided all Federal constitutional safeguards. This, too, is addressed in the Senate bill. Under Section 904, a non-Indian citizen of the United States would effectively have at least the same rights in tribal court that he would have in state court. For example, in any case involving imprisonment, the following rights would all be protected:

The right not to be deprived of liberty or property without due process of law.

The right to the equal protection of the tribe's laws.

The right against unreasonable search and seizures.

The right not to be twice put in jeopardy for the same tribal offense.

The right not to be compelled to testify against oneself in a criminal case.

The right to a speedy and public trial.

The right to a trial by a jury of not fewer than six persons.

The right to a trial by an impartial jury that is drawn from sources that reflect a fair cross-section of the community and do not systematically exclude any distinctive group in the community, including non-Indians.

The right to be informed of the nature and cause of the accusation in a criminal case.

The right to be confronted with adverse witnesses.

The right to compulsory process for obtaining witnesses in one's favor.

The right to have the assistance of defense counsel.

The right to effective assistance of counsel at least equal to that guaranteed by the United States Constitution.

The right of an indigent defendant to the assistance of a licensed defense attorney at the tribe's expense.

The right to be tried before a judge with sufficient legal training and who is licensed to practice law.

The rights against excessive bail, excessive fines, and cruel and unusual punishments.

The right to access the tribe's criminal laws, rules of evidence, and rules of criminal procedure.

The right to an audio or other recording of the trial proceeding and a record of other criminal proceedings.

The right to petition a Federal court for a writ of habeas corpus, to challenge the legality of one's detention by the tribe.

The right to petition a Federal court to be released pending resolution of the habeas corpus petition.

Finally, one last constitutional concern was aired in Lara, although it was not discussed in the Court's majority opinion. Writing only for himself, Justice Kennedy suggested that the Constitution's structure, based as it is on ''a theory of original, and continuing, consent of the governed,'' forbids a tribe from prosecuting any U.S. citizen who never consented to be subjected to the tribe's jurisdiction. Lara, 541 U.S. at 212 (Kennedy, J., concurring in the judgment). Of course, the majority of the Court in Lara—including Chief Justice Rehnquist, who wrote the Court's opinion in Oliphant—implicitly rejected Justice Kennedy's view, since Mr. Lara himself was a U.S. citizen who had never consented to be subjected to the jurisdiction of the tribe that prosecuted him. Id.

Moreover, the majority correctly rejected Justice Kennedy's originalist argument because most treaties that the United States

entered into with Indian tribes between 1785 and 1795—that is, both immediately before and immediately after the drafting and ratification of the Constitution—expressly provided for tribal criminal jurisdiction over non-Indians residing in Indian country. For example, the very first Indian treaty ratified by the United States Senate under the Federal Constitution—the 1789 Treaty with the Wyandot, Delaware, Ottawa, Chippewa, Potawatomi, and Sac Nations—provided that, ''[i]f any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said [Indian tribal] nations, he and they shall be out of the protection of the United States; *and the said nations may punish him or them in such manner as they see fit*'' (emphasis added). Similar language appeared in the last Indian treaty ratified before the Constitutional Convention—the 1786 Treaty with the Shawnee Nation. It is difficult, then, to say that allowing non-Indian citizens of the United States to be tried and punished by Indian tribes for crimes committed in Indian country is somehow contrary to the Framers' understanding of the Constitution's design. Thus, the Lara Court's holding that Indian tribes' status as domestic dependent nations does not prevent Congress from recognizing their inherent authority to prosecute nonmembers is solidly grounded in our constitutional history. And with Congress's express authorization, an Indian tribe can prosecute a non-Indian U.S. citizen, regardless of whether he has consented to the tribe's jurisdiction.

It is important to note that while the elements of Section 904 discussed above are more than sufficient to address the considerations raised by the Lara Court, we do not mean to suggest that each of these elements is *required* in order to address these considerations.

Mrs. MCMORRIS RODGERS. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania, PAT MEEHAN, a champion in prosecuting those in domestic violence situations.

Mr. MEEHAN. Madam Speaker, I rise to encourage my colleagues from both sides of the aisle to put aside this rhetoric and to find a way to work together to pass the Violence Against Women Act, to move this important legislation forward in a way in which we can reach a resolution.

I come to this as a former prosecutor who has seen firsthand the implications. I come to give a voice to people who do not have an opportunity to speak for themselves. Because one of the things that we realize is that a woman will be victimized 12 times, beaten 12 times before she has the courage to come forward to speak to somebody who needs to be there, to be able to help give them a sense of comfort and dignity to be able to retain control over the circumstances. The Violence Against Women Act enables the kinds of resources to be there to have the trained personnel who can make a difference.

I had a chance to visit SANE nurses, who work in emergency wards, giving victims of rape the dignity to be able to have an examination in the privacy of a room, as opposed to being violated a second time out in a public space in an emergency ward, to reduce the time they have to spend for that examination from 13 hours after a rape to 2 hours, to be able to collect the evidence and to help that victim to be able to make their case if they so choose in court.

I have had a chance to work with victims of violence on college campuses—one in four women who have, in college campuses, reported that they have been victims of rape or attempted rape.

So, unquestionably, we must find a way to pass the Violence Against Women Act in the same way we must reduce the rhetoric and the misrepresentations and the shamefulness representations on both sides about the good intentions to try to do this. There are differences of opinion in small areas. We must find a way to get over those. I rise today to make sure that we give a voice to those victims, to work together to find a way to pass the Violence Against Women Act.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from Washington State, Congresswoman DELBENE.

Ms. DELBENE. Madam Speaker, I rise in support of S. 47, the Senate-passed version of the Violence Against Women Reauthorization Act. I want to thank the Speaker for bringing this bill to the floor for debate.

In a time when we must resolve some real disagreements on how to move our country forward, I'm pleased that we're taking this important step towards the shared goal of reauthorizing the landmark Violence Against Women Act. However, I cannot support the House substitute amendment, because it fails to include critical improvements passed by a large bipartisan margin in the Senate that would strengthen our efforts to combat violence against women.

I'm particularly disappointed that this amendment omits provisions that would enable tribes to address domestic violence in Indian country. This is an issue that's critical in my district. The Lummi Nation, for example, which I visited just last week in Bellingham, Washington, has seen significant increases in violence against women over the past several years. The House substitute would continue to allow for disparate treatment of Indian and non-Indian offenders, while the bipartisan Senate bill includes key provisions that fill this legal gap.

There are many other ways in which the House substitute amendment unfortunately falls short.

For these reasons, I urge my colleagues to oppose the substitute amendment and support the Senate-passed reauthorization bill.

Mrs. MCMORRIS RODGERS. Madam Speaker, I am pleased to yield 2 minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Thank you, Madam Chair.

Madam Speaker, I rise today to support the reauthorization of VAWA, Violence Against Women Act. This is extremely important.

I was a past president of a YWCA that has a domestic violence shelter in my hometown of Charleston, West Virginia. I have witnessed firsthand the good work that they do and that other statewide advocates do in this area of sexual assault and violence against women, and I realize that this is way long overdue and necessary. In West Virginia, every 9 minutes a call is made about our domestic violence on the domestic violence hotline.

I'm really here, too, to talk about an incident that we never want to see happen again, and that's a little boy named Jahlil Clements, who was from my hometown of Charleston, West Virginia. He was in a car with his mother and his mother's boyfriend, and his mother's boyfriend began beating his mother. And he got so afraid, and the car stopped on the interstate, that Jahlil got out of that car and started running across the interstate to get help for his mother. He was hit and killed in the interstate because he was witnessing firsthand one of the most horrible acts of domestic violence. His mother was in danger and he wanted to help her.

If we don't intervene, if we don't find help, if we don't end this cycle of violence for the Jahlil Clements of this country, we're doing a great disservice to our country. So I'm going to vote ''no'' on the House bill and ''yes'' on the Senate bill for Jahlil Clements and all the Jahlil Clements throughout this great country.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the distinguished chair of the House Democratic Caucus, Mr. BECERRA of California.

Mr. BECERRA. I thank the leader for yielding.

My friends, every single day in America, three women die at the hands of domestic violence. Yet this Congress allowed the Violence Against Women Act to expire more than 500 days ago, every one of those 500 days three women dying at the hands of domestic violence.

There's been a balanced bipartisan solution passed in the Senate by a vote of 68–31 that has been sitting on the table for almost a year to reenact the Violence Against Women Act. The failure or reluctance of this House to do its work for the American people seems to have now become business as usual. This should not be the new normal.

The 113th Congress has now been in session for 56 days in 2013, and it is only now that a debate on an up or down vote on the bipartisan Senate bill will have an opportunity to be had.

Every woman in America deserves a clean bill to come before them to reenact the Violence Against Women Act, and those three women in America who today desperately seek to beat the odds and live to see another day deserve a vote. We must defeat the Republican substitute amendment and pass the Senate bipartisan bill.

□ 0940

Mrs. MCMORRIS RODGERS. I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from California, Congressman BERA, a physician and a new Member of Congress.

Mr. BERA of California. Today, I rise as a doctor to talk about the patients that I've taken care of who have suffered as victims of domestic violence.

As doctors, we don't choose to treat one patient or another patient. We choose to take care of every patient who presents, and as Members of Congress—as Americans—we don't choose to protect one woman and not protect another. We choose to protect all women in America. That is who we are as a Nation. I urge this body to reject the House version of this bill and to pass the bipartisan Senate version, which is a reflection of who we are in America and our values.

As the father of a daughter, this is personal. I want my daughter to grow up in a country in which we value and respect every woman regardless of her background, ethnicity, creed. This is personal. Let's do the right thing. I urge this body to do the right thing today—pass the Senate's version of the Violence Against Women Act.

Mrs. MCMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to a champion on protecting women and protecting them from violence, Congresswoman JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Violence is violence is violence, and women are women are women.

For the second year in a row, the Republicans have advanced legislation that not only excludes additional protections for battered immigrant women and battered tribal women and battered gay women, protections which are included in the bipartisan Senate bill, but they've advanced a bill that actually rolls back essential protections that are already the law of the land.

We have heard from law enforcement, victims, and victim service providers on the need to pass the improvements included in the bipartisan Senate bill. Last week, more than 1,300 organizations which represent and support millions of victims nationwide joined together and said to bring the Senate bill to the House floor for ''a vote as speedily as possible.''

We need to pass the Senate-passed legislation so that victims of domestic and sexual violence don't have to wait a minute longer.

Mrs. MCMORRIS RODGERS. Madam Speaker, I would like to remind the body that the House amendment actually increases protections for everyone. No protection is denied.

At this time, I am happy to yield 2 minutes to the gentlelady from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Madam Speaker, I rise today to urge the passage of the Violence Against Women Act of 2013.

Let me just start off by saying that I support this bill because it is the right thing to do. I am committed to ending violence against all women. This bill takes the necessary steps to protect the rights of all of our mothers, our daughters, and wives.

The statistics are appalling. It's reported that, in the United States alone, more than 24 people each minute are victims of some sort of domestic violence, dating violence, sexual assault, or stalking. That equals more than 12 million individuals each year. These types of crimes happen to individuals from all walks of life. No gender, race, ethnicity or socioeconomic status is immune. This bill provides protection for everyone who may become victim to sexual and domestic violence.

I support this bill because it implements new accountability standards that make programs more effective. These reforms prevent taxpayer dollars from being wasted. They ensure that more money is being used to assist victims and to reduce the amount of violence that happens against women. By limiting the amount of money that can be spent on salaries and administrative costs, this bill provides greater protections for women by maximizing the amount of funding that goes directly to the victims. It is time for us to do the right thing and pass this bill.

A constituent of mine from South Bend, Indiana, recently wrote my office. She said:

> As a woman who has experienced domestic violence and stalking in my own home, and as a physician who has cared for persons affected by domestic violence, I see this as an important tool to improve the quality of life in our Nation.

I urge the Members of this Chamber, both Republican and Democrat, to do the right thing and pass this bill today.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Florida, a freshman Member, Congresswoman FRANKEL.

Ms. FRANKEL of Florida. I rise in opposition to the House substitute amendment to S. 47, and I urge the support of the bipartisan Violence Against Women Act sent over by the Senate.

I do so on behalf of women like Olga, who, on her wedding day, thought she had entered a dream marriage for herself and her two small children from a previous relationship. The marriage turned into a nightmare when her husband became insulting, aggressive, controlling—like a stranger—imprisoning Olga and her children in their own home and not even allowing the children to go to school. Olga fled to south Florida, and was nurtured back to emotional and financial health by an organization in my home area called Women in Distress.

The Senate's reauthorization of the Violence Against Women Act will save even more lives across America, lives like Olga's and like those of all women who have been abused by their spouses or partners.

So, today, colleagues, let's stand up for our mothers, our sisters, and our daughters. Let's pass the bipartisan Senate bill.

Mrs. MCMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Massachusetts, Congressman KEATING, a former prosecutor and a champion on fighting for the safety of America's women.

(Mr. KEATING asked and was given permission to revise and extend his remarks.)

Mr. KEATING. Madam Speaker, I was a DA for 12 years. I solicited and actually used these funds.

We talk about issues. As people see issues, I see faces. I see the faces of innocent women who are victims, and I see the faces of the perpetrators, themselves—the rapists, the batterers, the abusers—who sought to isolate these victims, to strip them away from their friends, their families, social service agencies, law enforcement.

I used these funds to create a lifeline for these victims, breaking down walls that exist in terms of people who spoke a different language, had a different culture, had a different nationality. This amendment creates walls, creates these barriers, that make the victims more vulnerable, and it strengthens the hands of the perpetrators.

Please, all of you, join me in voting against this amendment, and then let's all join together with a piece of legislation that does not punish the victim but that puts perpetrators where they belong—behind bars.

Mrs. MCMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to another champion on protecting women, the gentleman from Washington State (Mr. LARSEN).

Mr. LARSEN of Washington. I rise today in support of the bipartisan Senate version of the Violence Against Women Act that we will vote on.

We wouldn't be here today without the courage of victims from all of our communities—women and men who are rich and poor, immigrant, Native American, folks from the LGBT community—all of whom spoke out about their experiences. Domestic violence does not discriminate, and with this bill domestic violence protection will no longer discriminate. This bill improves protections for immigrants, for Native Americans, for members of the LGBT community.

In my district, Tulalip Tribes Vice Chair Deborah Parker has explained why these protections are so critical. She told me that, for far too long, Native American women have lacked serious protections on their reservations. This bill will make it easier for them to seek justice, and it also includes important amendments to improve the enforcement of the International Broker Regulation Act, a law that I sponsored in 2006.

□ 0950

Those amendments strengthen protections Congress put in place for immigrant women like Anastasia King, who was murdered in my district by her husband in 2000.

So I urge my colleagues to oppose the House VAWA substitute and to pass S. 47.

Mrs. MCMORRIS RODGERS. Madam Speaker, I continue to reserve the balance of my time.

Ms. PELOSI. Madam Speaker, may I respectfully request the state of the clock.

The SPEAKER pro tempore. The gentlewoman from California has 22 minutes remaining, and the gentlewoman from Washington has 20¾ minutes remaining.

Ms. PELOSI. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS), a Member of Congress who has been a champion on this issue for a very long time, a health professional in her own right before coming to Congress.

Mrs. CAPPS. Madam Speaker, I thank my leader for yielding, and I rise today in opposition to the Republican amendment that would undermine key provisions in the Violence Against Women Act Reauthorization, and to urge strong support for the underlying Senate bill which protects our young people on our school campuses.

VAWA is a vital program addressing violence against women holistically: through prevention programs, survivor supports, and provisions to hold perpetrators accountable. But it is also a symbol that relationship violence and sexual assault is real and that it's unacceptable. It has been a symbol in this Congress that we can put aside our differences and come together to do what is right for violence victims and survivors. And as we saw in the Senate—and we will hopefully see it here in the House—this is still true.

Our daughters, sisters, and mothers, no matter where they are, including on our school campuses, deserve to live without fear of abuse, and we cannot delay their safety any longer. I urge my colleagues on both sides of the aisle to support the Senate bill.

Mrs. MCMORRIS RODGERS. Madam Speaker, I'm pleased to yield 1 minute to the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. Madam Speaker, I rise this morning to speak in favor of S. 47, the Senate version of the Violence Against Women Act. I want to thank Speaker BOEHNER and Leader CANTOR for their leadership in bringing this important bill to the floor.

The bottom line is that VAWA programs help save lives in New Jersey and across America. We need to expand the current success of VAWA so that we can help even more women escape the nightmare of domestic violence.

While we are long overdue in passing this bill, I'm glad we are here today, and I urge my colleagues to support S. 47.

Ms. PELOSI. Madam Speaker, I'm pleased to yield 1 minute to Congresswoman Kirkpatrick of Arizona who has again every day, every step of the way, been helpful in protecting all women, especially those on reservations.

Mrs. KIRKPATRICK. Madam Speaker, I was born and raised on the White Mountain Apache Nation. The necklace I wear today was made by an Apache woman. I've seen firsthand the troubles and hardships that our tribes experience. Now I represent 12 Native American tribes, and I'm here standing on the floor of Congress to give them a voice.

Our Native American women, who need resources and protection, face great hardships. They often live in very remote areas. Unfortunately, Native American women are two-and-a-half times more likely to be assaulted in their lifetimes than other women.

As a prosecutor, I also saw firsthand the need to protect those who are vulnerable. That's why I have pushed so hard for the bipartisan Senate-passed version of this legislation. This legislation strengthens protections for Native American women and so many others.

My district needs this legislation. I urge my colleagues from both sides to come together and pass the Senate version of the Violence Against Women Act today.

Mrs. MCMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Ms. PELOSI. Madam Speaker, I'm pleased to yield 1 minute to the gentlewoman from California, Congresswoman LEE.

Ms. LEE of California. Madam Speaker, first let me thank Leader PELOSI and Congresswoman GWEN MOORE for their tremendous leadership to reauthorize the Violence Against Women Act.

Today we have an opportunity to really stand up for tribal women, for the LGBT community, for immigrant women, for women all across the United States and to finally pass the strongly bipartisan Senate version of the Violence Against Women Reauthorization Act. We should have done this a long time ago. After much grandstanding, feet dragging, and shameful politicking over protecting the right for all women to feel safe in their homes and workplaces, I hope today that finally we can come together to say that violence against any woman is never an option.

When I was in the California Legislature, I authored the Violence Against Women Act for the State of California, and it was signed into law by a Republican Governor. It was, indeed, a bipartisan effort.

As someone who understands domestic violence on a deeply personal level, I know how traumatic it is, and I know the strong and consistent support system needed to emerge as a survivor. That is what the Senate's VAWA reauthorization will accomplish for all women—and I don't mean for some women; I mean for all women. So I urge Members to vote ''no'' on the amendment and ''yes'' on the underlying bill.

Mrs. MCMORRIS RODGERS. Madam Speaker, I'm pleased to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the champion on our side of the aisle for the reauthorization of this important legislation, our majority leader.

Mr. CANTOR. Madam Speaker, I thank the gentlelady and congratulate her on her leadership on this issue. As chairwoman of our conference, as a strong advocate for families, for women, for children in our conference, I salute her in her efforts to improve the ability for individuals, women, who are subject to domestic abuse to get the relief that they need. And in that spirit today, Madam Speaker, I come to the floor in support of the substitute amendment that we are offering today.

Today, Madam Speaker, a mother and her daughter will go to a shelter seeking safe harbor because they are scared. Another young woman will walk into a hospital emergency room seeking treatment from sexual assault. In some cases, women will wait to report such violent crimes because they don't feel there is a support system in place to help them.

Our goal in strengthening the Violence Against Women Act is simple: we want to help all women who are faced with violent, abusive, and dangerous situations. We want to make sure that all women are safe and have access to the resources they need to protect themselves, their children, and their families. We want them to know that somebody is there and willing to help. And we want them to know that those who commit these horrendous crimes will be punished and not let go. Madam Speaker, that's why we feel so strongly about providing the proper support system and needed relief to thousands of victims and survivors so that they can get on with their lives.

For the past several months, we've worked hard in this House to build consensus and to put together the strongest bill possible to improve on that which came from the Senate. Today, I encourage my colleagues to support the House amendment to the Violence Against Women Act in order to end violence against all people, against all women, and prosecute offenders to the fullest extent of the law.

Ms. PELOSI. Madam Speaker, I am pleased to yield 1 minute to the gentleman from New Mexico (Mr. LUJÁN), who has been a champion for ending violence against women for all women in America.

Mr. BEN RAY LUJÁN of New Mexico. Madam Speaker, last Congress it was with great disappointment that, for the first time since the Violence Against Women Act was signed into law in 1994, House Republicans failed to give us a vote and Congress failed to reauthorize this important legislation that has reduced domestic abuse and provided victims of violence with vital resources.

□ 1000

The effort to reauthorize VAWA failed, despite overwhelming bipartisan support in the Senate, because House Republicans stripped the bill of critical provisions to help women, especially Native American women. Sadly, we are seeing this effort repeated on the floor today.

Once again, House Republicans are trying to weaken a bill that passed by a vote of 78–22 in the Senate in order to deny Native American women important protections. Sovereignty is not a bargaining chip. The Republican substitute is an attack on Native American women and does not respect sovereignty.

Studies have found that three out of five American Indian women will experience domestic violence; yet the Republican substitute makes it harder to prosecute abusers and is full of loopholes.

I urge my Republican colleagues to drop their opposition to the Senate bill and pass legislation that gives all women, including Native American women, vital protections against abuse.

Mrs. MCMORRIS RODGERS. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Madam Speaker, I rise today in support of S. 47, the Violence Against Women Reauthorization Act of 2013, which passed the Senate with a strong bipartisan majority. I do support that underlying bill.

The programs funded under this landmark legislation have proven effective over the past two decades in achieving real and meaningful reductions in domestic violence. Victims' advocates in my district and around the country rely on funding made available through VAWA for training programs, rape prevention and education, battered women's shelters, support for runaways, and community programs directed at ending the cycle of domestic violence.

In my home State, the Pennsylvania Coalition Against Rape currently operates 50 rape crisis centers that provide services to victims of sexual violence. These centers also utilize public awareness campaigns and prevention education to combat the root causes of sexual assault. Essential institutions such as these are counting on us in this body to ensure that VAWA funds remain available to support their often lifesaving work.

I am proud to serve as a board member of the Crime Victims Council of the Lehigh Valley. This private, nonprofit organization provides free, confidential assistance to victims of violent crime and their significant others to help them cope with the traumatic aftermath of victimization.

Another outstanding institution in my district is Turning Point of Lehigh Valley, which maintains a 24-hour help line that serves as a constant resource for victims and their loved ones. Turning Point offers empowerment counseling, safe houses, court advocacy, prevention programs, and transitional assistance to ease former abuse victims into independent life. Our community depends on these organizations, and these organizations depend on VAWA.

VAWA is also improving law enforcement's response to domestic violence. In 2007, the Pennsylvania Commission on Crime and Delinquency conducted an evaluation of VAWA's Services Training for Officers and Prosecutors program, commonly called STOP grants. This program is designed to promote an enhanced approach to improve the criminal justice system's handling of violent crimes against women.

The final report indicated that police with STOP training are more likely to work in concert with professional victims' advocates. Court personnel, including prosecutors and judges, are demonstrating a heightened level of sensitivity towards victims of abuse.

Finally, the strategy of employing dedicated personnel to follow these crimes from beginning to end has resulted in improved arrest policies, investigations, prosecutions, hearings and follow-up. This study demonstrates the positive effect that STOP grants have had across the board in Pennsylvania's criminal justice system where domestic violence is concerned.

VAWA has substantially improved our Nation's ability to combat violent crime and protect its victims, providing a strong safety net for women and children across the United States. According to the FBI, incidents of rape have dropped by nearly 20 percent from the law's enactment in 1994 through 2011. The rate of intimate partner violence has declined by 64 percent over that same period.

However, much work remains to be done. The CDC estimates that 1 in 4 women and 1 in 7 men have experienced severe physical violence by an intimate partner at some point in their lifetime.

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

Mrs. MCMORRIS RODGERS. I yield an additional minute to the gentleman.

Mr. DENT. Congress must reauthorize VAWA to prevent more innocent Americans from becoming victims and to provide critical services for those who do.

Further delaying this crucial legislation does this Congress no credit and leaves State and local service providers facing uncertainty about their ability to continue protecting some of the most vulnerable members of our society.

The Senate voted to reauthorize the Violence Against Women Act with a strong bipartisan majority, and I would strongly encourage the House of Representatives to do the same, to support that underlying bill. Voting ''yes'' on the underlying bill will move the reauthorizing legislation to the President's desk immediately. It's the right thing to do, and it's about time we do it.

Ms. PELOSI. Madam Speaker, I am very pleased to recognize our distinguished Democratic whip of the House, Mr. HOYER. He was there in the nineties when we worked to pass this legislation on the Appropriations Committee. He and ROSA DELAURO and Congresswoman NITA LOWEY and I worked to fund the Violence Against Women Act. He's been there on this issue for a long time. I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Madam Speaker, I want to congratulate the leader for her efforts in getting us to this point.

Today, after 2 months, I think we're going to do something very positive, and we're going to do it in a bipartisan way, and I think that's excellent. I think America will be advantaged. Every American—women, yes—but every American will be advantaged.

House Democrats support the fully inclusive reauthorization of the Violence Against Women Act which passed the Senate by a bipartisan vote of 78–22, as has been referenced. A majority of Republican Senators, and all Republican women Senators, voted in favor.

That bill represents a compromise, and I urge my colleagues to defeat the partisan, Republican-amended version so we can pass the Senate bill. I voted for the rule, which allows us that opportunity. Let us take it.

The changes House Republicans made in their version significantly weaken its provisions—and I want to say some Republicans. I want to make that clear. It's not all—aimed at protecting victims of domestic violence and empowering law enforcement to keep our people safe from these crimes.

The House Republican bill omits critical protections for Native Americans, for LGBT Americans, and for immigrants.

Furthermore, the House Republican bill removes protections for students on campus, victims of human trafficking, and those who've experienced rape or stalking.

Why? Why not protect everybody, all Americans?

When we fail to protect all victims, abusers can get away with the abuse and repeat it.

Madam Speaker, Congress ought not to be playing games with women's lives and with the lives of all who suffer from domestic violence. We owe it to the victims, their families, victims' advocates, law enforcement and prosecutors to make sure the protections of the Violence Against Women Act work and can meet the challenges we face today.

That's why we should defeat the weaker House Republican alternative and, instead, pass the fully inclusive version passed by Senate Democrats and Republicans. I expect it to be a bipartisan vote. It is a good day for America.

Mrs. MCMORRIS RODGERS. Madam Speaker, just to clarify, on the House

substitute that we'll be considering a little later, it ensures that money goes to victims by increasing accountability. It ensures and guarantees that grants to combat sexual assault are distributed equitably. It improves the ability for law enforcement to prosecute abusers. It better protects Indian women from domestic violence, and it safeguards constitutional rights to ensure justice for victims.

At this time I am pleased to yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD), our policy chairman.

Mr. LANKFORD. Madam Speaker, I do want to stand in support of the House proposal today on protecting women across this Nation. This is something that protects all women. I know there's been some interesting accusations that we're trying to exclude people. This is for all women in all places.

As a dad of two daughters, I get this. I understand this. My two daughters were on this House floor not very many weeks ago getting a chance to visit and to be here and to be a part of this process and to meet some of the great ladies on both sides of the aisle, but to also get a chance to interact with people and to see how laws are made. And I want them to know, in the days ahead, laws here that are done are for every person and that we stand for every family.

This is a family issue. This is a women's issue. This is also a State legal issue. It's a community issue, and it's also a national issue that is right that we deal with today.

I want to encourage organizations in Oklahoma City like the YWCA that have a simple theme of eliminating racism, empowering women; and they work every single day to be able to help women that are in situations that they have got to escape out of.

□ 1010

I also want to stand up for the 39 tribes in Oklahoma. I've met with some of the tribal leaders. The House version does three simple things on it. For my constituents, I want them to know that if there's domestic violence that occurs—and the House version assures this—if they live in Indian country, if they work in Indian country, if they're married or dating someone from Indian country, this law clearly protects them in that. All of section 900 I would encourage people to read and go through the details of how we stand beside the tribes and those that are in and around Indian country.

There needs to be prosecution, there needs to be protection. But most of all, we need to stand beside every single family and every single woman in this Nation to do what is right.

Ms. PELOSI. Madam Speaker, I want to inform the gentleman that the YWCA USA supports the bipartisan Senate bill that we are urging Members to support and reject the House bill.

I am pleased to yield 1 minute to the gentleman from Illinois (Mr. QUIGLEY), who came to Congress fully committed to passing this legislation.

Mr. QUIGLEY. Well, if this is for all and this is for everybody, why attempt to strip out essential protections for immigrants, tribal, and lesbian, gay, bisexual, and transgender victims? Do they not feel the same pain?

Once again, we have to stand up and fight for equal protections for all victims. The Senate seems to get what this body does not: we are all in this together.

These victims are not nameless, faceless members of some group of ''others.'' They are our friends, our neighbors, our family members. We are a Nation built on justice, fairness, and equal protection. We are all stronger when we uphold these ideals and protect the most vulnerable among us. The Senate-passed VAWA embodies these principles and protects all victims. We should pass it today.

Ms. MCMORRIS RODGERS. I am pleased to yield 4 minutes to a former prosecutor, the gentlelady from Indiana, SUSAN BROOKS.

Mrs. BROOKS of Indiana. I rise in support of VAWA.

Yelling. Name calling. Black eyes. Bruises. Belts. Broken bottles. Children scared and crying in the corners, crying for it to stop. The lies and coverups to friends and family. A family out of control. And then the abuser gains the control and says, ''I'm sorry,'' ''I love you,'' ''I won't do it again,'' ''I'll change.'' So the victim stays again and again and again, year after year.

The cycle of violence goes on from generation to generation, just like Brittany from Tipton County, Indiana, abused by her drug-addicted mother and married a man also the victim of severe child abuse. After they married, the cycle of violence continues. Brittany's husband verbally and physically abused her while their children watched. She is in every one of our districts, whether you're in a poor family or a rich family, whether you're in the city, in the country, or on the farm. We as Members of Congress have the power and the control to change her life.

When Brittany finally took control and made the call, it was VAWA funds that made sure that the cops that responded recognized it. And I've done those ride-alongs, and they are the most dangerous calls cops can make. When VAWA funds are involved, they keep shelters and transitional housing open so those victims have a safe place to stay. When VAWA has funds, it trains sexual assault nurses who help those victims through the humiliating exams they have to endure that are so important so we have the evidence to put the abusers behind bars.

When VAWA funds are involved, we have advocates in prosecutors offices and in courtrooms who are trained to help them through the painful, long, difficult court process. And when VAWA funds are involved, we have counseling services needed for the victims and their families to heal. VAWA gives victims a fighting chance to gain control of their lives. If VAWA doesn't pass, in my district Alternatives, Inc. will have to lay off two of their five victim advocates, shut down one of their offices and won't be able to serve the 700 victims in rural counties that they served last year.

VAWA is a program that works. It's one of those Federal Government programs that works. This bill is not a perfect bill. No bill that Congress passes is perfect. But I will tell you the victims being attacked can't wait for perfect. The three women and the one man who die every day at the hands of their intimate partners cannot wait for perfect.

I'm a freshman, and I'm asked all the time, Isn't there anything that Congress can agree on and get behind? I think we need to show the American people we can give control back to the women, men, and children who are subjected to the horrors of violence at the hands of someone who supposedly loves them. This shouldn't be about politics and fighting and about political party control. In my short time in Congress, I've seen too often that we lose sight of the people that we are here to protect and to serve. And it is about control. That's what their lives are about.

I urge every Member to think of the victims. Take those statistics and replace them with the Brittanys in your district. Take control away from the abusers, provide it back to the victims with the control they need. Can't we be the voice that they don't have? We as Members of Congress have the ability to give control back to the victims, to give control to the cops, to give control to the sexual assault nurses, to give control to the victim advocates, to give some to the shelters and to the counselors. I'm asking this Congress to show the American people that we care. I do.

Please pass this bill.

Ms. PELOSI. Madam Speaker, I have listened attentively to some of the comments made by those who support the House version of VAWA and they use words like ''all women,'' as the distinguished majority leader said. Not true in the Republican bill. Not all women if you're gay, if you are from the immigrant community, or if you happen to be living on a reservation.

I hear the appeal from a freshman Member, very eloquently stated, ''Why can't we work together and put partisanship aside?'' That's exactly what the Senate did, 78–22. A majority of the Republicans in the Senate voted for the far superior bill.

We've never had a perfect bill, you're absolutely right. But we have a far superior bill that expands protections, as opposed to the House bill which not only is not as good as the Senate bill, it diminishes protections already in the law.

I heard the gentlelady talk eloquently about the money and where it needs to go. It's sad to say that with

sequestration, $20 million, according to a new estimate from the Justice Department, will be cut from the Violence Against Women account. That means approximately 35,927 victims of violence would not have access to lifesaving services and resources.

So the fact is people have come together on the Senate bill. The House agrees with their bipartisan position. The President stands ready to sign it. It's just the House Republicans that are odd people out on this.

It's hard to understand why you think ''some'' equals ''all.'' It doesn't. And that's why it's really important to reject the House version and support the Senate version.

I am pleased to yield 1 minute to the gentleman from California (Mr. SWALWELL), a Member of our freshman class.

Mr. SWALWELL of California. Preventing violence against women means preventing violence against all women, especially those from the LGBT community, especially those from the immigrant community, and I'm here to support the bipartisan Senate bill that was passed and to oppose the House amendment.

I was a prosecutor in Alameda County for 7 years. I worked day in and day out with women who came in as violence victims, people who had been battered. And it's only because of the Violence Against Women funding that we had in our office that allowed our victim advocates to provide them with the emotional and physical services that they needed that we could even begin to put them on the track of healing. Only because of this funding.

So right now it is incumbent upon us to make sure that this funding is available, as we move forward, to all women—all women. Violence against all women must be protected against, and we must have funding that shows that we will go aggressively after their abusers and support our law enforcement and their efforts to do that.

□ 1020

Today's bipartisan bill gives us an opportunity to show that this House can do big things when we work together.

Mrs. MCMORRIS RODGERS. Madam Speaker, I would just ask my colleagues on the other side of the aisle to please point to anywhere in the House bill that coverage for anyone is denied. To specifically state: Where is the coverage denied?

The House covers all victims. This bill does not exclude anyone for any characteristic. Not only does the bill specifically prohibit discrimination; it directs the Attorney General to make a rule regarding antidiscrimination efforts as he sees fit.

Moreover, the STOP grant is reauthorized to permit funding to go toward men as well as women. The House bill enhances protections for Native American women. The House bill requires the Justice Department to cross-designate tribal prosecutors as Federal prosecutors in 10 federally recognized Indian tribes. This allows tribal prosecutors to move forward more quickly in Federal court.

The House bill provides a constitutional route for Indian tribes to prosecute non-Indian offenders for domestic violence crimes against Native American women. This is critical for victims to ensure that offenders do not have their convictions overturned.

The House bill contains increased accountability provisions. The House bill mandates better coordination among grantees and Federal employees to ensure money is spent effectively and efficiently. This is in response to allegations of misuse of funds. It limits administrative expenses and salaries to 5 percent, ensuring that money goes to victims and law enforcement. This ensures that money goes to victims, not bureaucrats.

At this time, I'm happy to yield 2 minutes to a champion for all human rights, the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Madam Speaker, I rise in strong support of the Violence Against Women Act offered by Congresswoman MCMORRIS RODGERS. It authorizes $2.2 billion for VAWA to help victimized women & children seeking assistance to break the cycle of violence & live free from intimidation, fear, abuse, & exploitation. I just want to point out something that little attention has been paid to.

A little over a decade ago, I authored the Trafficking Victims' Protection Act of 2000, the landmark law that created America's comprehensive policy to combat modern-day slavery. The TVPA created the State Department's Trafficking in Persons Office, now led by an ambassador-at-large with a robust complement of over 50 dedicated and highly trained people.

The Leahy trafficking amendment to S. 47, title XII, guts the TIP Office and represents a significant retreat in the struggle to end human trafficking. The only way to fix it is to pass the McMorris Rodgers amendment, go to negotiations, and get this legislation fixed.

The TIP Office is an extraordinary advocacy mechanism and has had a huge impact worldwide. In addition to best-practices advocacy, the office monitors labor and sex trafficking and makes recommendations for whether or not countries be ranked tier one, tier two, or tier three.

For over a decade, the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking. The Leahy amendment cuts the authorization for the TIP Office from about $7 million down to $2 million. It eviscerates the TIP Office; there is no doubt about that.

It also shifts responsibilities to the regional bureaus. We have had problems over the last decade, as my colleagues, I'm sure, know. The regional bureaus have a whole large portfolio of issues that they deal with. When they deal with those issues, trafficking is on page 4 or page 5 of their talking points. The TIP Office walks point; it has now been demoted significantly.

I would point out that when I first did the trafficking bill, there was huge pushback from the State Department. They didn't want human rights in general, and absolutely they did not want the trafficking-in-persons issue to be dominant and center stage. That's what the office does. It is a step backwards for combating human trafficking.

Madam Speaker, I rise in strong support of the Violence Against Women Act, VAWA, authored by Congresswoman CATHY MCMORRIS RODGERS.

It authorizes $2.2 billion for VAWA to help victimized women and children seeking assistance to break the cycle of violence and live a life free from intimidation, fear, abuse and exploitation.

VAWA is landmark legislation with a proven track record of assisting abused and battered women and must be reauthorized. VAWA includes: $222 million in STOP grants, providing critical funding to improve the criminal justice system's response to crimes against women; $73 million in Grants to Encourage Arrest Policies and Enforce Protection Orders, providing resources to bring abusers to justice and providing victims with the legal protections to live free of fear from their abusers; $57 million for Legal Assistance for Victims, providing necessary funding to strengthen state legal systems and ensure that agencies charged with handling domestic abuse and sexual assault cases are able to assist victims through the legal process; and millions more in housing assistance to shelter victims away from their abusers; grants to protect young women on college campuses; training and services for abuse against women in rural areas and those with disabilities; funding to reduce rape kit backlogs so we can identify past abusers and provide justice to their victims; and many more critical programs that strengthen communities to combat abuse against vulnerable populations.

I just want to point out something that far too little attention has been paid to: the Leahy Amendment cuts to the State Department Trafficking in Persons, TIP, Office contained in the Senate version.

A little over a decade ago, I authored the Trafficking Victims Protection Act, TVPA, of 2000—the landmark law that created America's comprehensive policy to combat modern day slavery.

The TVPA created the State Department's Trafficking in Persons Office, now led by an ambassador-at-large with a robust complement of over 50 dedicated and highly trained people.

The Leahy trafficking amendment to S. 47—Title XII—guts the TIP office and represents a significant retreat in the struggle to end human trafficking. The only way to fix it is to pass the Violence Against Women Act sponsored by Congresswoman MCMORRIS RODGERS, go to negotiations, and strike the cut.

Madam Speaker the now at risk Trafficking in Persons Office is an extraordinary advocacy mechanism and has had a huge impact worldwide. In addition to ''best practices'' advocacy,

the office monitors labor and sex trafficking in every country of the world pursuant to minimum standards prescribed in the TVPA and makes recommendations for whether or not countries should be ranked Tier I, Tier II Watch List or Tier III. Countries with bad records and who fail to make ''serious and sustained'' efforts to improve are designated Tier 3—the worst ranking—which may result in sanctions.

For over a decade the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking, but that will change if the McMorris Rodgers VAWA fails and the House has no means to fix the Leahy amendment in conference.

Madam Speaker, for over a decade the Trafficking in Persons Office has been the flagship in our struggle to combat human trafficking.

The Leahy Amendment, cuts the authorization for the TIP office authorization from $7 million down to $2 million—effectively eviscerating the TIP office.

Making matters worse the Leahy Amendment also shifts responsibilities to the regional bureaus—and we have had problems with regional bureaus and trafficking over the last decade—as my colleagues I'm sure know. Regional bureaus have a large portfolio of issues that they handle. As they deal with those other issues, trafficking is often relegated to page four or page five of their agenda and talking points. The TIP office on the other hand walks point, is singular in focus, and it is imperative that it be adequately resourced and vested with current-day powers to act. Under Leahy the TIP office is demoted significantly.

The simple fact of the matter is that since enactment of the TVPA in 2000, the regional bureaus have often sought to undermine and weaken TIP country ranking recommendations due to other so-called equities. Advancing human rights is general and combating human trafficking in particular, far too often takes a back seat to other priorities.

That's why, back in 2000, I led the effort and wrote the law to make the Trafficking in Persons Office the lead in gathering, analyzing, and putting forward recommendations for every country.

That's why slashing the Trafficking in Persons Office is an awful idea. The victims deserve better.

Ms. PELOSI. Madam Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore. The gentleman from Michigan will control the time as the designee.

Mr. CONYERS. Madam Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Madam Speaker, I'd like to talk to you about Lucy. Lucy is not the name of the person I'm referring to, although she is absolutely real. I can't use her name because Lucy still lives in fear of her abuser, a man she was married to.

Lucy is from a nation in West Africa. The man who was abusing her, physically and sexually, and mistreating her would tell her and threaten her—based on her immigration status to the United States that she was hoping to obtain—he would threaten her and tell her, I'm going to hold this against you; I'm going to do this to you; don't you dare leave me.

The Violence Against Women Act's self-petition process was a lifeline and a savior to her. She was able to explain the extreme violence that she lived through and suffered through all the time, and she was able to separate from her husband and seek a way to become a citizen and to stay in this country and get rid of her abuser. Sadly, the House version rolls this protection back. That's why you should support the Senate version.

Mrs. MCMORRIS RODGERS. Madam Speaker, I'm happy to yield 2 minutes to a champion, a former judge who has worked on these issues for many years, the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentlelady for yielding.

Violence against women is awful. I think we can all agree with that. Behind the scenes in homes throughout America, behind closed doors bad things are happening in those families. It is violent. It affects the spouse, the children, and the quality of life of our community. Today, the House of Representatives can do something about that to make America safer for women, primarily, and their children. We have two choices before us today: the House bill, the Senate bill.

But there's another thing going on behind closed doors in America as well, and that's sexual assault that is occurring in America. I spent time on the bench as a judge in criminal cases in Texas for 22 years; and one of the greatest scientific, forensic discoveries was DNA. It's helped prosecute sexual assault cases.

DNA: when those outlaws commit sexual assault crimes against primarily women and children, they leave DNA evidence, it's examined, and we find out who the criminal was. But here's the problem: there are 400,000 DNA rape kits that have not been tested, some going back 20 and 25 years. They're so old that when it's determined who the outlaw is, they can't be prosecuted because the statute of limitations has run; 400,000 cases where rape victims are waiting for us to just analyze those sexual assault cases.

That concept is called the SAFER bill, sponsored by CAROLYN MALONEY and myself to try to fix that issue by taking money in one legislation and putting it in the SAFER legislation to analyze those 400,000 cases so victims know who committed the crime, and also outlaws go to prison and not get a free ride because there's not money to test those cases.

That SAFER bill is in the Senate version. I encourage the House of Representatives to vote for the SAFER bill because it is in the Senate legislation.

And that's just the way it is.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. I thank the ranking member of our Judiciary Committee.

I rise in support of the Senate bill, S. 47, which reauthorizes VAWA. It passed by a strong bipartisan vote of 78–22 on February 12.

It is also an honor to be next to the gentlewoman from Wisconsin, who has really championed this bill.

□ 1030

I rise specifically to address section 904, which provides tribal governments with jurisdiction over the abuse of Native American women on tribal lands. The statistics, which were set forth by Senator UDALL in a recent article, were very alarming. Native American women are two-and-a-half times more likely to be raped, one in three will be assaulted, and three out of five will encounter domestic violence.

And the criticism, the criticism we've heard against why the Senate version of this bill should not pass is because they say it doesn't afford due process. All we need to do is to look at the defendant's rights as set forth in the tribal court criminal proceedings under ICRA, the Indian Civil Rights Act, and TLOA, the Tribal Law and Order Act of 2010.

The rights are there. Support the Senate version.

Mr. CONYERS. Madam Speaker, I am pleased to yield 2 minutes to the vice chair of the Democratic Caucus from New York, Mr. JOE CROWLEY.

Mr. CROWLEY. I thank my friend and colleague from Detroit, Michigan, for yielding me this time.

Madam Speaker, it has been over 500 days since the Violence Against Women Act expired—500 days—and every day that has passed without a vote, my colleagues and I have been asking ourselves, What are we waiting for? Are we waiting for our colleagues in the Senate to have a strong, bipartisan vote and send us a bill worth voting on? Oh, wait a minute. They've already done that. But maybe we're waiting for a bill that strengthens the Violence Against Women Act. Sorry, the Senate has already done that, as well. Or maybe we're waiting for support of hundreds of State, local, and national organizations. Oh, but wait. We've already had that with the passage of the Senate bill.

My colleagues, it's time to end this wait for our mothers, for our daughters, and for our friends so they can get the protection and the service that they deserve because, let me tell you, the abusers are not waiting.

Today, we have the chance to pass the actual Senate bill, the bipartisan, commonsense legislation that has been waiting for a vote. So let's vote ''no'' on the substitute amendment, support the underlying bill, and send this to the President's desk.

I don't believe my colleagues, if they saw a lesbian woman being beaten by their neighbor, that they would not want to have that violence stopped. I don't believe that my Republican colleagues, if they saw an undocumented person, even an illegal alien, being beaten by her husband, that they would not want that stopped. I don't believe

that my colleagues on the other side of the aisle, if they saw a Native American woman being beaten or abused, that they would not want that stopped.

Why do they not have it specified in their legislation? The Senate bill does. Let's stop this back-and-forth and pass the Senate legislation.

Mrs. MCMORRIS RODGERS. Madam Speaker, I would just like to remind my colleagues on the other side of the aisle that the House, the Republican majority in the House, passed legislation to reauthorize the Violence Against Women Act in May of last year. Funding has continued. Congress, including the Republicans in the House, has supported and continues to fund these important programs at $600 million a year. No program has gone unfunded as we have continued to focus on the important work of getting this bill reauthorized.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the distinguished gentlewoman from California, SUSAN DAVIS.

Mrs. DAVIS of California. Madam Speaker, at last, at last. Madam Speaker, like Americans all across the country, I'm glad this Chamber has finally put the Senate Violence Against Women Act to the floor for a vote.

I urge my colleagues to support this legislation and to oppose the Republican substitute. If we pass a strong and bipartisan reauthorization, women can breathe a sigh of relief knowing that Congress has got their backs.

Every woman deserves protection and justice. I'm glad that the Senate bill closes the gap in current law by extending that protection to Native American, LGBT, and immigrant victims.

In contrast, as we have heard, the Republican substitute inexplicably continues to exclude these groups and put them at risk. That is exclusionary and it is hurtful.

Let's swiftly pass the Senate VAWA and send it straight to the President's desk for his signature. I urge my colleagues to vote ''yes'' on S. 47 and to stand up for all victims of domestic violence. They've waited far too long for this day.

Mr. CONYERS. Madam Speaker, I'm pleased now to yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Speaker, 2 weeks ago, the Senate overwhelmingly passed a strong, bipartisan reauthorization of the Violence Against Women Act to extend much-needed protections to all women of domestic violence, including immigrants, Native Americans, and members of the LGBT community.

Domestic violence victims and their families have waited far too long for the House to act to reauthorize VAWA and to provide victims of domestic violence with important resources to help end this violence. It's critical that we ensure that every single victim of domestic violence, no matter what they look like or where they come from or who they love, has access to these critical tools and resources.

According to the National Task Force to End Sexual and Domestic Violence, one in four women will be victims of domestic violence in their lifetime. Each year, 15 million American children are exposed to domestic violence and all the dangers of this violence.

Have we really come to the point that we can't persuade every single Member of Congress that violence against all women is indefensible and that we have a moral responsibility to do everything in our power to stop it? Do we really want to say some women, some group of women, are not worthy of protection against such violence? I hope not.

I urge my colleagues to pass the strengthened Senate version reauthorizing the Violence Against Women Act and to protect all American women from violence.

AMERICAN
PSYCHOLOGICAL ASSOCIATION,
February 4, 2013.

Hon. PATRICK LEAHY, *Chairman,*
U.S. Senate Judiciary Committee, Washington, DC.

Hon. MIKE CRAPO,
U.S. Senator,
Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of the 137,000 members and affiliates of the American Psychological Association (APA), I am writing to thank you for your invaluable leadership in introducing the Violence Against Women Reauthorization Act of 2013 (S. 47). As the legislative process advances, APA offers its full support of your efforts to ensure a comprehensive and inclusive reauthorization of the Violence Against Women Act (VAWA).

As you know, nearly one in four women in the United States reports experiencing domestic violence at some point in her life, and 15 million children live in families in which intimate partner violence has occurred within the past year. Domestic violence can result in significant mental and behavioral health consequences including depression, anxiety, post-traumatic stress disorder, relationship problems, diminished self-esteem, social isolation, substance use disorders, and suicidal behavior. VAWA programs can help to mitigate these negative outcomes by providing a vital link to services and supports for survivors and their families.

APA applauds your commitment to protect survivors of intimate partner violence with a comprehensive VAWA reauthorization. In particular, we appreciate the inclusion of essential public health provisions to reauthorize and strengthen the health care system's identification, assessment, and response to violence, as well as provisions to protect vulnerable populations, including Native women, immigrants, and LGBT individuals.

We welcome the opportunity to work with you to address these important issues. For further information, please contact Nida Corry, Ph.D., in our Public Interest Government Relations Office at (202) 336–5931 or ncorry@apa.org.

Sincerely,

GWENDOLYN PURYEAR KEITA, PH.D.,
Executive Director,
Public Interest Directorate.

OFFICE OF PUBLIC WITNESS,
PRESBYTERIAN CHURCH (U.S.A.),
February 1, 2013.

Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEAHY: In the Presbyterian Church (U.S.A.), we believe that ''domestic violence is always a violation of the power God intended for good.'' We believe that ''God the Creator is preeminently a covenant-maker, the One who creates, sustains, and transforms the people of God. Domestic violence and abuse destroys covenants in which people have promised to treat each other with respect and dignity.''

Because of these convictions, we strongly support a robust reauthorization of the Violence Against Women Act and we thank you for your leadership in sponsoring S. 47. Further, we wish you to know that we have written to all of your Senate colleagues, asking them to support final passage of this bill, and urging them to oppose any amendments that you have not endorsed.

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

Again, we thank you for your leadership on this important issue and look forward to the bill's passage, so that we can build upon VAWA's successes and continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable, and to keep victims and their families safe from future harm. For our part, we commit to continued ministry with victims and survivors of violence and to do all we can, through our ministries and our advocacy, to end this desperate cycle of violence and brokenness.

We give thanks for your service to our nation and for your leadership on this issue.

Sincerely,

The Reverend J. HERBERT NELSON II,
Director for Public Witness.

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,
February 6, 2013.

Hon. PATRICK LEAHY,
Chair, Senate Judiciary Committee, Dirksen Senate Office Building, U.S. Senate, Washington, DC.

Hon. MICHAEL CRAPO,
Dirksen Senate Office Building,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: The National Task Force to End Sexual and Domestic Violence—comprised of national, tribal, state, territorial and local organizations, as well as individuals, committed to securing an end to violence against women, including civil rights organizations, labor unions, advocates for children and youth, anti-poverty groups, immigrant and refugee rights organizations, women's rights leaders, and education groups—writes to express its strong and unequivocal support for the tribal provisions included in Title IX of S. 47, the Violence Against Women Reauthorization Act. As you are aware, these provisions are identical to those that were contained in S. 1925, the VAWA bill introduced in the 112th Congress. As such, the provisions were first voted affirmatively out of the Indian Affairs Committee, then added to S. 1925 and passed out of the Judiciary Committee, and finally were contained in the final version of S. 1925 that passed the Senate last year with bipartisan support.

While we understand that some have expressed constitutional concerns with respect to the criminal jurisdiction provisions contained in section 904, Title IX of S. 47, we wish to respectfully point out that the provisions were drafted and put forward by the U.S. Department of Justice, and were thoroughly vetted before they were submitted to the Senate Indian Affairs and Judiciary Committees. We also wish to remind the members of the Senate of the terrifying rates of victimization that American Indian and Alaska Native women experience: 34% of American Indian and Alaska Native women will be raped in their lifetimes; 39% will be subjected to domestic violence in their lifetimes. Sixty-seven percent of Native women victims of rape and sexual assault report that their assailants are non-Native individuals. On some reservations, Native women are murdered at more than ten times the national average. These startling statistics, coupled with the unfortunately high declination rates (U.S. Attorneys declined to prosecute nearly 52% of violent crimes that occur in Indian country; and 67% of cases declined were sexual abuse related cases), provide ample reason for Congress to act in passing S. 47 with Section 904 intact.

Additionally, we offer for the consideration of the members of the Senate a letter submitted last year by over 50 U.S. law professors who carefully reviewed the provisions of section 904 and found them to be constitutional. We offer some relevant excerpts below:

It is important to note that Section 904 of S. 1925 does not constitute a full restoration of all tribal criminal jurisdiction—only that which qualifies as ''special domestic violence criminal jurisdiction.'' So there must be an established intimate-partner relationship to trigger the jurisdiction. Moreover, no defendant in tribal court will be denied Constitutional rights that would be afforded in state or federal courts. Section 904 provides ample safeguards to ensure that non-Indian defendants in domestic violence cases receive all rights guaranteed by the United States Constitution.

In other words, a defendant who has no ties to the tribal community would not be subject to criminal prosecution in tribal court. Federal courts have jurisdiction to review such tribal jurisdiction determinations after exhaustion of tribal remedies. Section 904 is specifically tailored to address the victimization of Indian women by persons who have either married a citizen of the tribe or are dating a citizen of the Tribe.''

In closing, the National Task Force wishes to thank you for your tireless efforts to reauthorize the Violence Against Women Act, S. 47. We appreciate your leadership and look forward to working with you toward a speedy passage of S. 47, including Title IX as introduced with no weakening amendments.

Sincerely,

The National Task Force To End Sexual and Domestic Violence.

THE LEADERSHIP CONFERENCE
ON CIVIL AND HUMAN RIGHTS,
Washington, DC, February 11, 2013.

VOTE YES ON VAWA (S. 47) AND OPPOSE ANY AMENDMENTS THAT WEAKEN PROTECTIONS

DEAR SENATOR: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to urge you to support S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA), and to vote against any amendments that would weaken this important legislation.

The Leadership Conference believes that the reauthorization of VAWA is critical for protecting the civil and human rights of Americans to be free from domestic violence. These protections are especially important for Native Americans and people of color, who experience the highest rates of domestic violence and sexual assault. Further, it is essential that these protections be extended to all instances of intimate partner violence, including for gay, lesbian, bisexual and transgender people. In short, S. 47 would strengthen our nation's ability to prosecute perpetrators of violence and provide protections to all victims.

While domestic violence, dating violence, sexual assault, and stalking occur in all parts of the nation and affect people of all backgrounds, according to the Centers for Disease Control and Prevention, these forms of violence and harassment disproportionately affect the communities represented by The Leadership Conference. For example, 37 percent of Hispanic women are victims; 43 percent of African-American women and 38 percent of African-American men are victims; and a staggering 46 percent of American Indian or Alaska Native women and 45 percent of American Indian or Alaska Native men experience intimate-partner victimization.

VAWA-funded programs have dramatically improved the national response to domestic violence, dating violence, sexual assault, and stalking. The annual incidence of domestic violence has decreased by more than 53 percent since VAWA became law in 1994 and reporting by victims has also increased by 51 percent. Not only do these comprehensive programs save lives, they also save money. In its first six years, VAWA saved $12.6 billion in net averted social costs.

Yet, as law enforcement officers, service providers, and health care professionals have acknowledged, even with the successes of the current VAWA programs, there are significant gaps in current VAWA programs which, if addressed, could have a significant impact on diminishing the incidences of domestic violence in the United States. S. 47 helps address these concerns by strengthening services for minority communities and expanding protections for underserved communities to include lesbian, gay, bisexual and transgender people. Further, S. 47 addresses the crisis of violence against women in tribal communities by strengthening legal protections for Native victims of domestic violence and sexual assault. S. 47 also includes important improvements to VAWA protections for immigrant victims. In addition, the bill provides new tools and training to prevent domestic violence homicides.

VAWA has provided for a coordinated approach, improving collaboration between law enforcement and victim services providers and supporting community-based responses and direct services for victims. As a result, victims' needs have been better met, perpetrators have been held accountable, communities have become safer, and progress has been made toward breaking the cycle and culture of violence within families. Without question, VAWA reauthorization is the key to ensuring that victims and survivors of violence have continued access to these critical services.

We look forward to working with you to swiftly adopt, without any weakening amendments S. 47, the Violence Against Women Reauthorization Act, and continue a strong federal response to domestic violence, dating violence, sexual assault, and stalking. If you have any questions, please feel free to contact June Zeitlin at 202–263–2852 or zeitlin@civilrights.org.

9to5.

AFL-CIO.

AIDS United.

Alaska Federation of Natives.

American Association of People with Disabilities (AAPD).

American Association of University Women (AAUW).

American Federation of Government Employees, AFL-CIO.

American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO.

American Federation of Teachers, AFL-CIO.

American-Arab Anti-Discrimination Committee (ADC).

Amnesty International USA.

Anti-Defamation League.

Asian & Pacific Islander American Health Forum.

Asian American Justice Center.

Member of Asian American Center for Advancing Justice.

Asian Pacific American Labor Alliance, Asian Pacific American Legal Center, a member of the Asian American Center for Advancing Justice, Association of Flight Attendants—CWA, Association of Jewish Family & Children's Agencies, Center for Reproductive Rights, Center for Women Policy Studies.

Center for Women's Global Leadership, CenterLink: The Community of LGBT Centers Coalition on Human Needs, Communications Workers of America, Disability Policy Consortium, Disability Rights Education and Defense Fund (DREDF), Disciples Home Missions & Family and Children's Ministries of the Christian Church (Disciples of Christ), Family Equality Council, Feminist Majority, Friends Committee on National Legislation, Gay, Lesbian & Straight Education Network (GLSEN), GetEQUAL, GlobalSolutions.org, Hadassah, The Women's Zionist Organization of America, Inc., Hip Hop Caucus, Human Rights Campaign, Institute for Science and Human Values, Inc., International Center for Research on Women, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Jewish Council for Public Affairs.

Jewish Women International, LatinoJustice PRLDEF, The Leadership Conference on Civil and Human Rights, League of United Latin American Citizens (LULAC), Log Cabin Republicans, Maryknoll Sisters, NAACP, National Association of Human Rights Workers (NAHRW), National Association of Social Workers, National Bar Association, National Black Justice Coalition, National Capital Area Union Retirees, National Center for Lesbian Rights, National Center for Transgender Equality, National Coalition for Asian Pacific American Community Development, National Community Reinvestment Coalition, National Congress of American Indians, National Council of Jewish Women (NCJW), National Council on Independent Living, National Education Association.

National Employment Law Project, National Fair Housing Alliance, National Gay and Lesbian Task Force Action Fund, National Health Law Program, National Immigration Law Center, National Latina Institute for Reproductive Health, National Law Center on Homelessness & Poverty, National Legal Aid and Defender Association, National Low Income Housing Coalition, National Organization for Women, National Partnership for Women & Families, National Urban League, National Women's Law Center, People For the American Way, Planned Parenthood Federation of America, Presbyterian Church (U.S.A.), Refugee Women's Network, Sealaska Heritage Institute, Secular Coalition for America, The Sentencing Project.

South Asian Americans Leading Together (SAALT), Southern Poverty Law Center, Transgender Law Center, Union for Reform Judaism, United Church of Christ, Justice and Witness Ministries, United Food and Commercial Workers International Union (UFCW), US Human Rights Network, US National Committee for UN Women, Women of Reform Judaism, Women's Action for New Directions (WAND), Women's Business Development Center, Women's Environment and Development Organization (WEDO), Women's International League for Peace and Freedom, U.S. Section, Woodhull Sexual Freedom Alliance, Zonta International.

NATIONAL ALLIANCE
TO END SEXUAL VIOLENCE,
Washington, DC, January 28, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, U.S. Senate, Russell Senate Office Building, Washington, DC.
Hon. MICHAEL CRAPO,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of 56 state and territorial sexual assault coalitions and 1300 rape crisis centers, I want to express our sincere gratitude for the introduction of S. 47. The Violence Against Women Act (VAWA) with the SAFER Act included represents the essential and comprehensive legislative package that is necessary to advance this nation's response to the crime of rape and protect and support victims. S. 47 includes critical enhancements to address sexual assault including criminal justice improvements, housing protections, vital direct service and prevention programs, and SAFER's policies to address the rape kit backlog.

We are urging all Senators to stand with sexual assault survivors and support the swift passage of this far-reaching legislation.

Sincerely,
MONIKA JOHNSON HOSTLER,
Board President.

BOARD OF SUPERVISORS,
COUNTY OF SANTA BARBARA,
January 31, 2013.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the Santa Barbara County Board of Supervisors to urge you to take action on legislation to reauthorize the Violence Against Women Act (VAWA).

Thank you for introducing S. 47, the Violence Against Women Reauthorization Act. Programs authorized by VAWA have saved lives as well as providing resources and training needed in communities like Santa Barbara County to address these reprehensible crimes, and the Board recognizes the importance of reauthorizing and enhancing the resources provided by this important public safety program.

The Violence Against Women Reauthorization Act would expand the law's focus on sexual assault and help ensure access to services for all victims of domestic and sexual violence. It also responds to these difficult economic times by consolidating programs, focusing on the most effective approaches, and adding accountability measures to ensure that Federal funds are used efficiently and effectively.

The Violence Against Women Act has been successful because it has consistently had strong bipartisan support for nearly two decades. Please work with the members of your committee to expedite action on S. 47 or similar legislation to reauthorize VAWA.

Sincerely yours,
THOMAS P. WALTERS,
Washington Representative.

Mrs. MCMORRIS RODGERS. Madam Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a champion for all women and families.

Mrs. BLACKBURN. Madam Speaker, I thank the gentlelady from Washington for the leadership that she has brought to this issue, and I also stand to thank Leader CANTOR and the leadership that he has placed on this.

It's an incredible thing when you think about we still need the Violence Against Women Act. And I think for so many of us who have participated in giving birth to sexual assault centers and domestic abuse centers and child advocacy centers, we realize that for far too long domestic abuse was something that nobody ever wanted to talk about; it should be swept under the rug; it should be hidden behind the four walls of a house. It was not something that was addressed as a crime, but we all knew it was a crime, and we knew it needed to be addressed. And we know that this act and the grants that have been provided to our State and local law enforcement agencies have allowed so many—so many—people the safe harbor that was needed for their opportunity.

Now I stand here today to support our Republican alternative and the amendment that we have placed on this bill making certain that, in a fiscally responsible, targeted, and focused way, those who need access to the help, the assistance, and the funds are going to be able to receive the help, the assistance, the funds, the focus and the attention that they are going to need.

□ 1040

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

Mrs. MCMORRIS RODGERS. I would be happy to yield the gentlewoman an additional 30 seconds.

Mrs. BLACKBURN. I think that it is noteworthy that we also put some of the attention on stalking, the need to address this; that we look at the need for additional education so that some day we can say, yes, indeed, local law enforcement is fully equipped to handle the issue because the problem has been arrested. All too sadly, Madam Speaker, the problem has not been dealt with.

Mr. CONYERS. Madam Speaker, I'm pleased to yield 1 minute to the distinguished gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. No woman should have to live in fear of violence in this country.

One of my first actions in Congress was to cosponsor the Violence Against Women Act, which was authored by my colleague, GWEN MOORE.

Her bill took critical steps to strengthen the ability of our local law enforcement and service providers to protect victims of domestic violence, sexual assault, and stalking. Her bill went to great lengths to ensure that all women in our country would be protected under the bill.

The Senate passed overwhelmingly on a bipartisan basis her bill. That is why I find the political game being played by some Republicans today to be frustrating, my colleagues find it to be frustrating, and my constituents find it to be frustrating.

I do not understand why, Madam Speaker, you would eliminate provisions to protect women from immigrant communities—many of which I represent in my district in Congressional District Four—and women from Native American communities, or inappropriately discriminate against women based on their sexual orientation.

I urge my colleagues to pass the bipartisan bill.

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, February 1, 2013.

Re NAACP Strong Support for S. 47, To Reauthorize the 1994 Violence Against Women Act

Senator PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I would like to sincerely thank you for your leadership in introducing S. 47, legislation strengthening and reauthorizing the 1994 Violence Against Women Act (VAWA). As strong and consistent supporters of VAWA, the NAACP recognizes that this important legislation would improve criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States.

As you know, the NAACP supported the passage of VAWA in 1994, and its reauthorization in 2000 and 2005. We have witnessed VAWA change the landscape for victims of violence in the United States who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals has come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate. Your bill will not only continue proven effective programs, but that it will make key changes to streamline VAWA and make sure that even more people have access to safety, stability and justice.

Thank you again for your continued leadership in this endeavor. Your thoughtfulness and tenacity in this area over the years has improved the lives of millions of Americans. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463–2940.

Sincerely,
HILARY O. SHELTON,
Director, NAACP Washington Bureau & Senior Vice President for Advocacy and Policy.

Washington, DC, February 7, 2013.

DEAR SENATOR: The National Coalition Against Domestic Violence (NCADV), the

oldest and largest national anti-domestic violence advocacy organization that serves more than 1.3 million domestic violence victims in more than 2,000 shelter programs nationwide, expresses strong support for S. 47, the Violence Against Women Act (VAWA) of 2013 introduced by Senators Patrick Leahy and Michael Crapo.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against women. More victims report domestic violence to the police and the rate of non-fatal intimate partner violence against women has decreased by 53 percent. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the frontline response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim services providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly $12.6 billion in net averted social costs in just its first six years.

But more work remains. The CDC's 2010 National Intimate Partner and Sexual Violence Survey found that 1 in 4 women have been the victim of severe physical domestic violence and 1 in 5 women have been raped in their lifetime.

S. 47 renews successful programs that have helped law enforcement, prosecutors, and victim service providers keep victims safe and hold perpetrators accountable. It consolidates programs in order to reduce administrative costs and avoid duplication. The reauthorization is also mindful of our current fiscal state, and reduces authorizations by 17 percent from the 2005 reauthorization. New accountability measures have been included in the bill in order to ensure that VAWA funds are used wisely and efficiently.

S. 47 builds on existing efforts to more effectively combat violence against all victims and aims to ensure that VAWA programs reach more communities whose members need services. It expands the definition of ''underserved'' to include religion, sexual orientation, and gender identity to encourage development of services for people who have had trouble getting help in the past based on those categories. It also includes new purpose areas to ensure that grant funds can be used to make services available for all victims regardless of sexual orientation or gender identity. The bill includes important provisions to ensure that vulnerable immigrant victims of domestic and sexual violence receive the support and services they need.

This bill addresses the ongoing crisis of violence against Native American victims, who face rates of domestic violence and sexual assault much higher than those faced by the general population, by strengthening existing programs and by narrowly expanding concurrent tribal criminal jurisdiction over those who assault Indian spouses and dating partners in Indian country. This provision would ensure that no perpetrators of abuse are immune from accountability, but would do so in a way that protects rights and ensures fairness.

Intimate partner violence remains a critical problem in our nation. We cannot let victims of domestic and sexual violence continue to suffer. Congress must protect all victims of violence, hold all perpetrators accountable and provide justice for all.

We urge you to vote in favor of S. 47. Your support is essential to enhancing our nation's ability to hold perpetrators accountable and keep victims safe from future harm. Thank you for your consideration and please do not hesitate to contact me or Tralonne Shorter, Public Policy Advisor for NCADV at (202) 744–8455 if you have any questions or want additional information.

Sincerely,

RITA SMITH,
Executive Director.

ATTORNEY GENERAL OF MISSOURI,
Jefferson City, MO, February 6, 2013.

DEAR MEMBERS OF CONGRESS, In 1994, this nation's leaders enacted the Violence Against Women Act (''VAWA''). This landmark piece of legislation put in place a legal framework that better enabled states like Missouri to effectively investigate violent crimes against women, prosecute and punish offenders, and protect victims from further harm. In the decades since VAWA's enactment, Congress has twice voted to reauthorize the law. With each reauthorization, Congress not only strengthened the provisions of the law, it also reaffirmed this country's commitment to support survivors of personal violence and sexual assault. It is time to do so again.

Missouri women and their families rely on the programs and services that VAWA makes possible. For example, non-profit, community, and faith-based organizations use federal funds directed through VAWA's Sexual Assault Services Program to provide vital support to victims of sexual assault. And Missouri prosecutors, police officers, and court personnel participate in training funded through the STOP (Services Training Officers Prosecutors) program, equipping them to better address violent crime against women.

But the work is just beginning. In 2011, over 40,000 incidents of domestic violence were reported in Missouri. Thirty women were killed by their husbands or boyfriends. Missouri women reported more than 1,400 forcible rapes or attempted forcible rapes. And although over 10,000 women in need were able to find a place at a shelter, nearly 20,000 more were turned away.

By reauthorizing VAWA, this Congress will continue the effort undertaken nearly twenty years ago—the effort to eliminate violent crime perpetrated against our mothers, our sisters, our daughters, our neighbors, and our friends. I urge each of you to support this important legislation.

Respectfully,

CHRIS KOSTER,
Attorney General, State of Missouri.

GREAT PLAINS TRIBAL CHAIRMAN'S ASSOCIATION,
Rapid City, SD, February 4, 2013.,

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY
U.S. Senate, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Great Plains Tribal Chairman's Association to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, ''inadequate to stop the pattern of escalating violence against Native women.'' Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found, that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

''We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts.... We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.'' Oliphant v. Suquamish Indian Tribe, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in ensuring domestic safety for Native women nationwide. We urge you to support and vote for S. 47 when the measure moves to the Senate floor. Thank you for your attention to this matter.

Sincerely,

TEX ''RED TIPPED ARROW'' HALL,
Chairman, Mandan, Hidatsa, Arikara Nation, Three Affiliated Tribes,

Chairman, Great Plains Tribal Chairman's Association.

OFFICE OF THE GOVENOR,
PUEBLO OF TESUQUE,
Santa Fe, NM, February 5, 2012.

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Pueblo of Tesuque to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) ha found that the current system of justice, ''inadequate to stop the pattern of escalating violence against Native women.'' Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

''We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts.... We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.'' Oliphant v. Suquamish Indian Tribe, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

MARK MITCHELL,
Governor.

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, February 5, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, Washington, DC.

Hon. MIKE CRAPO,
U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing to express our support for S. 47, the ''Violence Against Women Reauthorization Act of 2013.'' This bill, which reauthorizes the landmark Violence Against Women Act (VAWA), would strengthen and improve existing programs that assist victims and survivors of domestic violence, dating violence, sexual assault, and stalking.

While violence against adult women has decreased 60 percent since VAWA was first passed in 1994, it remains a critical problem in our country and much more work remains to be done. According to the Centers for Disease Control and Prevention's National Intimate Partner and Sexual Violence Survey released in December 2011, one in five women in the United States has been raped in her lifetime and one in four women has been the victim of severe physical violence by a partner. Domestic and sexual violence is a health care problem and one of the most significant social determinants of health for women and girls.

We are pleased that S. 47 would address some of the critical gaps in delivery of health care to victims by strengthening the health care system's identification and assessment of, and response to, victims. We also appreciate and support language in Title V of the bill on the development and testing of quality improvement measures for identifying, intervening, and documenting victims of domestic violence that recognizes and aligns with the important work underway by the AMA, the National Quality Forum, and other stakeholders in the quality improvement arena.

We commend you for your long-standing support for victims of violence and abuse and for your leadership in introducing the Violence Against Women Reauthorization Act of 2013. We urge swift passage of your bill in the Senate and look forward to working with you to ensure enactment of this important legislation this year.

Sincerely,

JAMES L. MADARA, MD.

Mrs. MCMORRIS RODGERS. Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield the balance of our time, 4¼ minutes, to the distinguished gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Thank you, distinguished ranking member of the Judiciary Committee.

I've listened very carefully and very patiently to all of my colleagues in the House, and it seems that everyone in the Chamber is against violence against women. It's just which women we want to protect that remains the question.

For the last 18 months, it appears that I have lived in some sort of twilight zone, like that program on TV, ''Sliders,'' where there are alternate realities. This debate recalls that alternate reality when we hear support of the House amendment over the Senate amendment, and we hear that all women are protected.

For example, the Senate bill supports LGBT victims but the House bill strikes LGBT women as underserved communities. It also strikes the language that would have them as a protected group to not be discriminated against.

The distinguished floor leader has asked us to find areas in the legislation that are wanting, and I would submit that that is one area that is wanting.

The distinguished floor leader has asked us to find ways that the substitute is wanting and the Senate bill is superior.

We give lip service to wanting to support tribal women. But when you stop and think about it, in 1978, the Supreme Court in the Oliphant case decided that Federal laws and policies divested tribes of criminal authority over non-Indians, and the substitute seeks to affirm that, even though that was modified and overturned by the U.S. Supreme Court in U.S. v. Lara, which said that, in fact, if this body voted, we could, in fact, confer upon Native Americans the authority to give—we have plenary power to enact legislation to relax restrictions on tribal sovereign authority, that we have the power to allow them to enforce domestic violence laws and rape laws on their land.

We so need it, Madam Speaker, because if you are a member of a tribe—say, for example, the Bad River Chippewa band of Chippewa in my State—and you are raped on native land, tribes don't have any authority over that perpetrator if he is a non-Indian, even if he's your husband. The local police in that area don't have any authority. The county sheriff doesn't have any authority. The State trooper can't come in and arrest him. The only person that has any authority over that non-Indiana is some Federal agent in Madison, Wisconsin, 500 miles away, which is why there has been a 67 percent declination of prosecutions of sexual assault.

SUSANVILLE INDIAN RANCHERIA,
Susanville, CA, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization

Hon. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Susanville Indian Rancheria to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, ''inadequate to stop the pattern of escalating violence against Native women.'' Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

''We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.'' Oliphant v. Suquamish Indian Tribe, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

MR. STACY DIXON,
Tribal Chairman.

FEBRUARY 4, 2013.

Hon. PATRICK LEAHY,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.
Hon. MIKE CRAPO,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: We, the undersigned sentencing and criminal justice reform organizations, are writing to express our opposition to the inclusion of any mandatory minimum sentencing provisions in S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA).

We acknowledge that reducing the level of sexual, domestic, and dating violence and stalking directed at victims of violence is a worthwhile objective and an issue of national concern. We recognize and appreciate that many of the proposals contained in S. 47 enjoy broad bipartisan support, as well as the support of the American public. In its current form, S. 47 does not include any mandatory minimum sentences. We think it should remain that way through passage.

We do not believe that including mandatory minimum sentencing provisions for the domestic violence, sexual assault, and stalking offenses in S. 47 would be necessary, appropriate, or cost-effective. In fact, such provisions could be counterproductive in combatting violence. According to the National Task Force to End Sexual and Domestic Violence Against Women, the threat of a lengthy, mandatory prison sentence for an intimate partner abuser could deter a victim from reporting a crime. Because the victim and offender are often related or in an intimate relationship, many of the crimes included in VAWA will involve complex facts and unique circumstances. Such complicated crimes demand that courts have flexibility to ensure that the sentence fits the crime and the offender, protects victims, and best meets the needs of the family or couple impacted.

Finally, more mandatory minimum sentences would only increase the burdens on and high costs of our already overcrowded federal prison system. A recent Congressional Research Service report shows that mandatory minimums are the primary driver of high prison populations and increasing prison costs. Mandatory minimum sentences are unfair, ineffective, and result in extraordinary costs to American taxpayers.

Accordingly, as the Senate considers S. 47, we strongly urge you to oppose the adoption of any mandatory minimums. Thank you for your leadership on this important issue and for considering our views. Please do not hesitate to contact any of us if you should have any questions.

Sincerely,

American Civil Liberties Union, Church of Scientology National Affairs Office, Drug Policy Alliance, Families Against Mandatory Minimums, Human Rights Watch, Justice Fellowship, Lawyers' Committee for Civil Rights Under Law, National Association of Criminal Defense Lawyers, National Legal Aid & Defender Association, The Sentencing Project, United Methodist Church, General Board of Church and Society.

NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES,
Reno, NV, February 4, 2013.

SENATOR PATRICK LEAHY,
Chairman, Senate Committee on the Judiciary, U.S. Senate, Washington, DC.

TO THE MEMBERS OF THE U.S. SENATE: On behalf of the National Council of Juvenile and Family Court Judges (NCJFCJ) and its 2,000 members who represent the nation's 30,000 state family and juvenile court judges, I am writing in support of Title IX of S. 47, the bill to reauthorize the Violence Against Women Act. In particular, I am writing to apprise you of the NCJFCJ's strong support for the recognition of tribes' need for and sovereign authority to establish tribal courts to address the epidemic of domestic violence on tribal lands.

On January 21, 2011, the NCJFCJ adopted an organizational policy that states that we recognize tribal courts as equal and parallel systems of justice to the state court systems. We did so because our state court judge members have a strong history of working with tribal courts and are aware of their capacity to adjudicate local cases of domestic violence. Our organization has long supported the efforts of tribal courts to address these crimes, whether these crimes are committed by Indian or non-Indian persons, in order to protect the safety of the victims of these crimes, their family members, and the local community.

In our role as state court judges working alongside tribal lands, we are in a unique position to see the shortcomings of the current system of justice afforded to the tribes through the federal district courts. Currently, only the U.S. Attorneys can prosecute these cases—but they seldom do, because there are not enough U.S. Attorneys to handle these cases and because in many cases the nearest office of the U.S. Attorney is several hundred miles away. The remote locations of many tribal communities create serious obstacles to access for victims of these crimes. They have no way to get to federal court and the federal court has no capacity to reach out to these geographically distant communities. Yet we know how dangerous domestic violence cases can be, and cannot stand by and let these crimes go unaddressed. Too many lives are at risk; too many victims and children are left to suffer because the only system of justice afforded to them is utterly out of reach.

We believe that the provisions contained in S. 47 create an excellent path for supporting a system of tribal courts that can quickly, appropriately, and fairly respond to the epidemic of domestic violence on tribal lands. We base this belief on the long history NCJFCJ has had in providing training and technical assistance to tribal courts. There is a dedication and willingness on the part of both tribal and state courts to build the best possible system of justice for Native victims of domestic violence. We ask the Senate to recognize the appropriateness of tribal courts' providing protection to their most vulnerable community members. In the interests of justice for all, we ask you to vote

for S. 47 so that its tribal provisions can become law.

If you have any questions, we stand ready to answer with whatever information you may need.

Sincerely,

HON. MICHAEL NASH,
President, National Council of Juvenile and Family Court Judges.

SAMISH INDIAN NATION,
Anacortes, WA, February 4, 2012.

Re Support for S. 47, VAWA Reauthorization.

Hon. PATRICK LEAHY,
U.S. Senate, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Samish Indian Nation to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will sutler domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, ''inadequate to stop the pattern of escalating violence against Native women.'' Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA—it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

''We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts * * *. We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.'' Oliphant v. Suquamish Indian Tribe, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

TOM WOOTEN.

ÆQUITAS,
Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
Chairman,
Senate Committee on Judiciary,
Washington, DC.
Hon. BOB GOODLATTE,
Chairman,
House Committee on Judiciary,
Washington, DC.
Hon. CHARLES GRASSLEY,
Ranking Member,
Senate Committee on Judiciary, Washington, DC.
Hon. JOHN CONYERS,
Ranking Member, House Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY, CHAIRMAN GOODLATTE, RANKING MEMBER GRASSLEY AND RANKING MEMBER CONYERS: On behalf of Æquitas: The Prosecutors' Resource on Violence Against Women, in support for the Violence Against Women Act's (VAWA) reauthorization. Æquitas' mission is to improve the quality of justice in sexual violence, intimate partner violence, stalking, and human trafficking cases by developing, evaluating and refining prosecution practices that increase victim safety and offender accountability.

VAWA has unquestionably improved the nation's justice system response to the devastating crimes of sexual violence, intimate partner violence, and stalking. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has improved the criminal justice system's ability to keep victims safe and hold perpetrators accountable. As a result of this historic legislation, every state has enacted laws making stalking a crime and strengthened criminal rape and sexual assault statutes.

VAWA has undoubtedly had a positive impact on the efforts of prosecutors to hold offenders accountable while supporting victim safety. We urge Congress to reauthorize VAWA to build upon its successes and to expand its ability to improve our response to these crimes, hold perpetrators accountable, and keep victims and their children safe from future harm.

Thank you for your leadership and steadfast commitment to supporting victims of sexual violence, intimate partner violence, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, please feel free to contact me at 202.596.4223.

Sincerely,

JENNIFER G. LONG, J.D.,
Director.

ASSOCIATION OF PROSECUTING ATTORNEYS,
Washington, DC, February 4, 2013.

Hon. PATRICK LEAHY,
Chairman, Senate Committee on Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY: On behalf of the Association of Prosecuting Attorneys, which represents and supports all prosecutors, I am writing today regarding the Violence Against Women Acts (VAWA) reauthorization. VAWA has improved the criminal justice system's response to the devastating crimes of domestic violence, dating violence, sexual assault and stalking. The reauthorization of this critical legislation ensures a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against women. More victims report domestic violence to the police, the rate of non-fatal intimate partner violence against women has decreased by 63%, and VAWA saved nearly $14.8 billion in net averted social costs in just the first six years.

The reauthorization of VAWA builds upon existing efforts to more effectively combat violence against all victims. The reauthorization of VAWA renews a range of important programs and initiatives for law enforcement to address the various causes and far-reaching consequences of domestic violence, sexual assault, dating violence, and stalking. VAWA Reauthorization will further build upon the successes of these programs by including measures to ensure an increased focus on sexual assault prevention, enforcement, and services; and providing assistance to law enforcement to take key steps to reduce backlogs of rape kits under their control.

VAWA has undoubtedly had a positive impact on the efforts of law enforcement agencies nationwide to keep victims and their children safe and hold perpetrators accountable. Thank you for your leadership and steadfast commitment to supporting victims of domestic violence, dating violence, sexual assault, and stalking. We look forward to hearing of VAWA's swift reauthorization If you have any questions, feel free to contact me at 202.861.2482 or StevenJansen@APAInc.org.

Sincerely,

STEVEN JANSEN,
Vice President/COO.

Mrs. MCMORRIS RODGERS. Madam Speaker, I am happy to yield the balance of my time to the attorney, the wife, the mom, the gentlelady from Alabama (Mrs. ROBY).

Mrs. ROBY. In closing, I just want to make sure that we're clear: Republicans have committed to standing for all victims.

This bill, or amendment, strengthens penalties for sexual assault, improves the Federal stalking statute, provides for enhanced investigation and prosecution of sexual assault, and provides services for victims. Most importantly, our amendment is constitutional, and it will stand up to constitutional muster from the court.

The Senate passed a weakened bill that has a real chance of being overturned by the courts.

I urge support for the House amendment.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. MCMORRIS RODGERS

Mrs. MCMORRIS RODGERS. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2013''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. VAWA DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) in paragraph (2), by inserting ''to an unemancipated minor'' after ''serious harm'';

(2) in paragraph (3), by striking ''an organization'' and inserting ''a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community'';

(3) in paragraph (6) by inserting ''or intimate partner'' after ''former spouse'' and after ''as a spouse'';

(4) by amending paragraph (16) to read as follows:

''(16) LEGAL ASSISTANCE.—The term 'legal assistance'—

''(A) includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

''(i) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

''(ii) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim's safety and privacy; and

''(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

except that intake or referral, without other action, does not constitute legal assistance.'';

(5) by amending paragraph (18) to read as follows:

''(18) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(6) in paragraph (19), by striking ''services'' and inserting ''assistance'';

(7) in paragraph (21)—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

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

(C) by adding at the end the following:

''(C) any federally recognized Indian tribe.'';

(8) in paragraph (22)—

(A) by striking ''52'' and inserting ''57''; and

(B) by striking ''150,000'' and inserting ''250,000'';

(9) by amending paragraph (23) to read as follows:

''(23) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(10) by amending paragraph (33) to read as follows:

''(33) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers to accessing and using victim services, and includes populations underserved because of geographic location or religion, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to

be underserved by the Attorney General or the Secretary of Health and Human Services, as appropriate.'';

(11) by amending paragraph (37) to read as follows:

''(37) YOUTH.—The term 'youth' means a person who is 11 to 24 years of age.'';

(12) by adding at the end the following new paragraphs:

''(38) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

''(39) CHILD.—The term 'child' means a person who is under 11 years of age.

''(40) CULTURALLY SPECIFIC.—The term 'culturally specific' (except when used as part of the term 'culturally specific services') means primarily composed of racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).

''(41) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services and resources that are culturally relevant and linguistically specific to culturally specific communities.

''(42) HOMELESS, HOMELESS INDIVIDUAL, HOMELESS PERSON.—The terms 'homeless', 'homeless individual', and 'homeless person'—

''(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and

''(B) includes—

''(i) an individual who—

''(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

''(II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;

''(III) is living in an emergency or transitional shelter;

''(IV) is abandoned in a hospital; or

''(V) is awaiting foster care placement;

''(ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

''(iii) migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph.

''(43) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(44) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim services that—

''(A) address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

''(B) are designed primarily for, and are targeted to, a specific underserved population.

''(45) RAPE CRISIS CENTER.—The term 'rape crisis center' means—

''(A) a nonprofit, nongovernmental, or tribal organization that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims; or

''(B) a governmental entity that—

''(i) is located in a State other than a Territory;

''(ii) provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims;

''(iii) is not a law enforcement agency or other entity that is part of the criminal justice system; and

''(iv) offers a level of confidentiality to victims that is comparable to a nonprofit entity that provides similar victim services.

''(46) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

''(47) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

''(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

''(B) is comprised of board and general members that are representative of—

''(i) the member service providers described in subparagraph (A); and

''(ii) the tribal communities in which the services are being provided.

''(48) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

''(49) VICTIM SERVICES.—The term 'victim services'—

''(A) means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services; and

''(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(50) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State sexual assault coalition or tribal coalition, that—

''(A) assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations; and

''(B) has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(13) by striking paragraphs (17), (29), and (36), and then reordering the remaining paragraphs of such subsection (including the paragraphs added by paragraph (12) of this subsection) in alphabetical order based on the headings of such paragraphs, and renumbering such paragraphs as so reordered.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by amending clauses (i) and (ii) to read as follows:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that—

''(I) consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor; and

''(II) if a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, such minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) IN GENERAL.—Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

''(ii) LIMITATIONS.—Grantees and subgrantees may not—

''(I) require an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee; or

''(II) share any personally identifying information in order to comply with Federal reporting, evaluation, or data collection requirements, whether for this program or any other Federal grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this paragraph prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, when specifically mandated by the State or tribe involved.''; and

(E) by adding at the end the following new subparagraph:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees shall certify their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and

subgrantees may collaborate with and provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies, and develop and promote State, local, or tribal legislation or model codes, designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made publically available on the website of the disbursing agency.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in any State shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be denied the assistance of, or excluded from receiving services from, a grantee under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) RULE MAKING.—The Attorney General may make rules to ensure that grantees or subgrantees providing services with funds awarded under this title do not impermissibly discriminate in the provision of such services.

''(C) REASONABLE ACCOMMODATION.—Nothing in this paragraph shall prevent consideration of an individual's gender for purposes of a program or activity described in subparagraph (A) if the grantee involved determines that gender segregation or gender-specific programming is necessary to the essential operation of such program or activity. In such a case, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

''(D) APPLICATION.—The provisions of paragraphs (2) through (4) of section 809(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) shall apply to violations of subparagraph (A).

''(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities of grantees under other Federal or State civil rights law, whether statutory or common.''.

(c) CONFORMING AMENDMENT.—Section 41403(6) of the Violence Against Women Act of 1994 (14043e–2(6)) is amended to read as follows:

''(6) the terms 'homeless', 'homeless individual', and 'homeless person' have the meanings given such terms in section 40002(a);''.

SEC. 4. ACCOUNTABILITY PROVISIONS.

(a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO INCLUDE CERTAIN INFORMATION ABOUT FEDERAL GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant for a grant from the Department of Justice shall submit, as part of the application for the grant, the following information:

(1) A list of each Federal grant the applicant applied for during the one-year period preceding the date of submission of the application.

(2) A list of each Federal grant the applicant received during the five-year period preceding the date of submission of the application.

(b) ENHANCING GRANT EFFICIENCY AND COORDINATION.—

(1) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall, to the greatest extent practicable, take actions to further the coordination of the administration of grants within the Department of Justice to increase the efficiency of such administration.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Attorney General under paragraph (1) and the progress of such actions in achieving coordination described in such paragraph.

(c) REQUIRING OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT FUNCTIONS TO APPLY TO VAWA GRANTS.—

(1) IN GENERAL.—Section 109(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following new paragraph:

''(3) Any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.''.

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to grant periods beginning on or after the date of the enactment of this Act.

(d) VAWA GRANT ACCOUNTABILITY.—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended by adding at the end the following:

''(c) ACCOUNTABILITY.—All grants awarded under this title shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2014, and in each fiscal year thereafter, the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, shall conduct audits of grantees under this title to prevent waste, fraud, and abuse of funds by such grantees.

''(2) MANDATORY EXCLUSION.—A grantee described in paragraph (1) that is found by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, to have an unresolved audit finding (as defined in paragraph (4)) shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in such paragraph.

''(3) REIMBURSEMENT.—If an entity is awarded grant funds under this title during any period in which the entity is prohibited from receiving funds under paragraph (2), the head of the Federal agency administering a grant program under this title shall—

''(A) deposit into the General Fund of the Treasury an amount equal to the grant funds that were improperly awarded to the grantee; and

''(B) seek to recoup the costs of the repayment to the Fund from the entity that was erroneously awarded such grant funds.

''(4) UNRESOLVED AUDIT FINDING DEFINED.—In this subsection, the term 'unresolved audit finding' means, with respect to a grantee described in paragraph (1), an audit report finding, statement, or recommendation by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Service, as applicable, that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date of an initial notification of the finding, statement, or recommendation.

''(5) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(6) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 5.0 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Office on Violence Against Women.

''(7) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice or Department of Health and Human Services under this title may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this title, to host or support any conferences for which the expenditures exceed $20,000, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host or support any expenditure for such a conference.

''(B) WRITTEN APPROVAL.—Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

''(C) REPORT.—The Deputy Attorney General and Deputy Secretary of Health and Human Services shall submit an annual report to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Energy and Commerce of the House of Representatives on all conference expenditures approved and denied during the fiscal year for which the report is submitted.

''(8) PROHIBITION ON LOBBYING ACTIVITY.—

''(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be

utilized by any grantee or subgrantee to lobby any representative of the Federal Government (including the Department of Justice) or a State, local, or tribal government regarding the award of grant funding.

''(B) PENALTY.—If the Attorney General or the Secretary of Health and Human Services, as applicable, determines that any grantee or subgrantee receiving funds under this title has violated subparagraph (A), the Attorney General or the Secretary of Health and Human Services, as applicable, shall—

''(i) require the grantee or subgrantee to repay such funds in full; and

''(ii) prohibit the grantee or subgrantee from receiving any funds under this title for not less than 5 years.

''(9) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of the Violence Against Women Reauthorization Act of 2013, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a certification for such year that—

''(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

''(B) all mandatory exclusions required under paragraph (2) have been issued;

''(C) all reimbursements required under paragraph (3) have been made; and

''(D) includes a list of any grantees and subgrantees excluded during the previous year under paragraph (2).''.

(e) TRAINING AND RESOURCES FOR VAWA GRANTEES.—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended—

(1) in the heading, by striking ''**AND GRANT PROVISIONS**'' and inserting ''**, GRANT PROVISIONS, AND TRAINING AND RESOURCES FOR VAWA GRANTEES**''; and

(2) by adding after subsection (c), as added by subsection (d) of this section, the following new subsection:

''(d) TRAINING AND RESOURCES FOR VAWA GRANTEES.—

''(1) IN GENERAL.—The Attorney General and Secretary of Health and Human Services, as applicable, shall—

''(A) develop standards, protocols, and sample tools and forms to provide guidance to grantees and subgrantees under any program or activity described in paragraph (2) regarding financial record-keeping and accounting practices required of such grantees and subgrantees as recipients of funds from the disbursing agency;

''(B) provide training to such grantees and subgrantees regarding such standards, protocols, and sample tools and forms; and

''(C) publish on the public Internet website of the Office of Violence Against Women information to assist such grantees and subgrantees with compliance with such standards, protocols, and sample tools and forms.

''(2) VAWA PROGRAMS AND ACTIVITIES.—For purposes of paragraph (1), a program or activity described in this paragraph is any program or activity funded in whole or in part with funds made available under this title, the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.''.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the first day of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

(a) STOP GRANTS.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 2001(a) (42 U.S.C. 3796gg(a)), by striking ''violent crimes against women'' each place it appears and inserting ''violent crimes that predominantly affect women including domestic violence, dating violence, sexual assault, and stalking'';

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' before ''and specifically,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women), as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by inserting '', classifying,'' after ''identifying''; and

(ii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)''; and

(iii) by striking ''including crimes'' and all that follows and inserting ''including crimes of domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women);'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as so redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women)'';

(I) in paragraph (7), as so redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking (crimes that predominantly affect women)'';

(J) in paragraph (9), as so redesignated by subparagraph (G)—

(i) by striking ''domestic violence or sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking (crimes that predominantly affect women)''; and

(ii) by striking ''such violence or assault'' and inserting ''such violence, assault, or stalking (crimes that predominantly affect women)'';

(K) in paragraph (12), as so redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) in subparagraph (D), by striking ''and'' at the end;

(L) in paragraph (13), as so redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''to provide'' and inserting ''providing'';

(II) by striking ''nonprofit nongovernmental''; and

(III) by striking the comma after ''local governments'';

(ii) by inserting ''and'' after the semicolon in subparagraph (B); and

(iii) by striking the period at the end of subparagraph (C) and inserting a semicolon;

(M) by inserting after paragraph (13), as so redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking (crimes that predominantly affect women);

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

''(19) with not more than 5 percent of the total amount allocated to a State for this part, developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking (crimes that predominantly affect women).''; and

(N) in the flush text at the end, by striking ''paragraph (14)'' and inserting ''paragraph (13)'';

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim services programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by amending paragraph (2) to read as follows:

''(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) representatives of the law enforcement entities within the State;

''(D) representatives of prosecution offices;

''(E) representatives of State and local courts;

''(F) tribal governments or tribal coalitions in those States with State or federally recognized Indian tribes;

''(G) representatives of underserved populations, including culturally specific communities;

''(H) representatives of victim service providers;

''(I) representatives of population specific organizations; and

''(J) representatives of other entities that the State or the Attorney General identifies as necessary for the planning process;'';

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

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

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b); and''; and

(iv) in paragraph (4), as so redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E); and

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;

''(C) for each fiscal year beginning on or after the date that is 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, not less than 20 percent shall be allocated for 2 or more purposes described in section 2001(b) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship;'';

(D) by amending subsection (d) to read as follows:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this part shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases described in section 2011;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault described in section 2013;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards disbursed after the date of enactment of the Violence Against Women Reauthorization Act of 2013 to ensure that the States meet statutory, regulatory, and other programs requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with representatives of the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will use the funds that are required to be allocated under subsection (c)(4)(C); and

''(2) submit to the Attorney General as part of the application submitted in accordance with subsection (d)—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee with respect to the member's participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the requirements pursuant to regulations issued under subsection (e)(2);

''(G) goals and objectives for reducing domestic and dating violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

''(1) funds from a subgrant awarded under this part are returned to the State; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations under subsection (c)(4).'';

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3);

(C) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of the Violence Against Women Reauthorization Act of 2013 to come into compliance with this subsection.''; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears; and

(B) by striking ''domestic violence, stalking, or sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is amended by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2014 through 2018''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting '', dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''nonprofit, non-governmental victim services organizations,'' and inserting ''victim service providers, population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims of sexual assault.

''(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

''(A) Testing.

''(B) Counseling.

''(C) Prophylaxis.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (4)—

(I) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(II) by inserting ''dating violence,'' after ''domestic violence,''; and

(III) by striking ''and'' at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after the date of enactment of this section,'';

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (II) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(IV) by striking the period at the end and inserting ''; and'';

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively, and adjusting the margin accordingly;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the second comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(vii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011'' and inserting ''$73,000,000 for each of fiscal years 2014 through 2018''; and

(2) by striking the second period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victim services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''subsection (c) has completed'' and all that follows and inserting the following: ''this section—

''(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f)—

(A) in paragraph (1), by striking ''this section'' and all that follows through the period at the end and inserting ''this section $57,000,000 for each of fiscal years 2014 through 2018.''; and

(B) in paragraph (2), by adding at the end the following new subparagraph:

''(D) Of the amount made available under this subsection in each fiscal year, not more than 10 percent may be used for purposes described in subsection (c)(3).''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 3016), and inserting the following:

''SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault,

and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide adequate resources in juvenile court matters to respond to domestic violence, dating violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the physical health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(7) improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system regarding domestic violence, dating violence, sexual assault, stalking, or child abuse.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange, demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section);

''(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training, developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of the fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 2015 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2016'';

(2) in section 217 (42 U.S.C. 13013)—

(A) in subsection (c)(2)(A), by striking ''Code of Ethics'' and inserting ''Standards for Programs''; and

(B) by adding at the end the following new subsection:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:

''(A) Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP grants).

''(B) Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to encourage arrest policies).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building, and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved

population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach, and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for—

''(A) implementing prevention, outreach, and intervention strategies to address the barriers to accessing services;

''(B) promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations; and

''(C) evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and victim services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall annually submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds during the preceding fiscal year.

''(g) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.

''(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2014 through 2018.''.

SEC. 107. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''**AND LINGUISTICALLY**'';

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by amending paragraph (2) of subsection (a) to read as follows:

''(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:

''(A) Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) (Grants to encourage arrest policies).

''(B) Section 1201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal assistance for victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced training and services to end violence against women later in life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, training, and enhanced services to end violence against and abuse of women with disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

SEC. 108. REDUCTION IN RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)), is amended—

(1) in subparagraph (B), by striking ''2014'' and inserting ''2013''; and

(2) by adding at the end the following new subparagraph:

''(C) For fiscal year 2014, not less than 75 percent of the grant amounts shall be awarded for purposes under subsection (a)(2) and (a)(3).''.

SEC. 109. ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT TRAINING PROGRAMS.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941(c)) is amended by striking ''to carry out this section'' and all that follows through the period at the end and inserting ''to carry out this section $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 110. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking ''$2,300,000'' and all that follows through the period at the end and inserting ''$2,300,000 for each of fiscal years 2014 through 2018.''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking ''other programs'' and all that follows through the period at the end and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''nonprofit, nongovernmental organizations for programs and activities'' and inserting ''nongovernmental or tribal programs and activities''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''; and

(3) in paragraph (4)—

(A) in the first sentence—

(i) by inserting ''and territory'' after ''each State'';

(ii) by striking ''1.50 percent'' and inserting ''0.75 percent''; and

(iii) by striking '', except that'' and all that follows through ''of the total appropriations''; and

(B) in the last sentence, by striking ''the preceding formula'' and inserting ''this paragraph''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high-risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2), by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim services and population specific services'';

(C) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(4) developing, expanding, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs; and

''(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including—

''(A) addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training; and

''(B) providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.'';

and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2014 through 2018''.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

''SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

''(a) DEFINITIONS.—In this section:

''(1) The term 'eligible entity' means an entity that—

''(A) is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

''(v) a victim service provider; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) is partnered with—

''(i) a law enforcement agency;

''(ii) an office of a prosecutor;

''(iii) a victim service provider; or

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life.

''(2) The term 'elder abuse' means domestic violence, dating violence, sexual assault, or stalking committed against individuals in later life.

''(3) The term 'individual in later life' means an individual who is 60 years of age or older.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2). In awarding such grants, the Attorney General shall consult with the Secretary of Health and Human Services to ensure that the activities funded under this section are not duplicative with the activities funded under the elder abuse prevention programs of the Department of Health and Human Services.

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of elder abuse;

''(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

''(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2014 through 2018.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial, or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs'';

(2) in subsection (c)(1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''; and

(3) in subsection (c), by adding at the end the following new paragraph:

''(3) FUNDING FORMULA.—Amounts provided under this section shall be allotted to each State, territory, and the District of Columbia based on population. If the amounts appropriated under paragraph (1) exceed $48,000,000 in any fiscal year, a minimum allocation of $150,000 shall be awarded to each State and territory and the District of Columbia. Any remaining funds shall be allotted to each State and territory and the District of Columbia based on population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 (42 U.S.C. 14043c et seq.) is amended by striking sections 41201 through 41204 and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (CHOOSE CHILDREN AND YOUTH).

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and to prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address sex trafficking, population specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma on youth. Funds may be used to—

''(A) assess and analyze available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, as well as homeless youth, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable secondary or elementary schools that serve students in any of grades five through twelve and institutions of higher education to—

''(A) provide training to school personnel, including health care providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement age-appropriate prevention and intervention policies in accordance with State law in secondary or elementary schools that serve students in any of grades five through twelve, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault, or stalking, such as a resource person who is either on-site or on-call;

''(D) provide evidence-based educational programs for students regarding domestic violence, dating violence, sexual assault, and stalking; or

''(E) develop strategies to increase identification, support, referrals, and prevention programs for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit organization, population specific organization, or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965), charter school (as defined in section 5210 of such Act), a school that is operated or

supported by the Bureau of Indian Education, or a legally operating private school, a school administered by the Department of Defense under section 2164 of title 10, United States Code, or section 1402 of the Defense Dependents' Education Act of 1978, a group of such schools, a local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965), or an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965).

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant youth population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers with priority on victim safety and autonomy;

''(3) ensure that all individuals providing intervention or prevention programs to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking; and

''(4) ensure that parents are informed of the programs funded under this program that are being offered at their child's school.

''(e) REQUIREMENT FOR EVIDENCE-BASED PROGRAMS.—Any educational programming, training, or public awareness communications regarding domestic violence, dating violence, sexual assault, or stalking that are funded under this section shall be evidence-based.

''(f) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.

''(g) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of the fiscal years 2014 through 2018.

''(i) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''and'' after ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by striking ''assault and stalking,'' and inserting ''assault, and stalking, including the use of technology to commit these crimes,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services provided by such program are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To provide evidence-based educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through the first occurrence of ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2014 through 2018'';

(4) in subsection (d)—

(A) by striking paragraph (3); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''$12,000,000'' and all that follows through the period and inserting ''$12,000,000 for each of the fiscal years 2014 through 2018.''.

SECTION 304. CAMPUS SAFETY.

(a) CAMPUS SAFETY GUIDANCE AND TECHNICAL ASSISTANCE FOR INSTITUTIONS OF HIGHER EDUCATION.—Beginning in academic year 2013–2014, the Secretary of Education shall provide to institutions of higher education annual guidance and technical assistance relating to compliance with the requirements for campus safety, including requirements under section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) for reporting crime statistics and prevention programs for domestic violence, dating violence, sexual assault, and stalking.

(b) CAMPUS SAFETY STUDY, REPORT, AND ACTION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to examine—

(A) the incidents of domestic violence, dating violence, sexual assault, and stalking that were reported to campus security or local police by students and employees of institutions of higher education during academic years 2010–2011, 2011–2012, and 2012–2013;

(B) the response by campus security or local police to the incidents described in subparagraph (A);

(C) the extent to which such incidents occur more or less frequently on campuses of institutions of higher education than in the communities surrounding such campuses;

(D) the procedures institutions of higher education have in place to respond to reports of incidents of domestic violence, dating violence, sexual assault, and stalking, including procedures to follow up with the students involved and disciplinary and privacy policies for students and employees;

(E) the policies institutions of higher education have in place to prevent domestic violence, dating violence, sexual assault, and stalking, including programs, classes, and employee training;

(F) the challenges faced by institutions of higher education with respect to reports of and collection of data on incidents of domestic violence, dating violence, sexual assault, and stalking on campus;

(G) the possible disciplinary actions institutions of higher education face under Federal law for the occurrence of, or for failure to properly respond to, incidents of domestic violence, dating violence, sexual assault, and stalking; and

(H) the coordination of programs and policies by institutions of higher education with respect to the campus safety requirements of the Department of Education, the Department of Justice, the Department of Health and Human Services, and States.

(2) REPORT.—Not later than one year after the date of enactment of this section, the Comptroller General of the United States shall report the results of the study required under paragraph (1), including any recommendations for changes to Federal laws and policies related to campus safety, to Congress, the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services.

(3) AGENCY RESPONSE AND REPORT.—Not later than 180 days after receipt of the report required under paragraph (2)—

(A) the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services shall, to the extent authorized, revise policies and regulations related to campus safety in accordance with the recommendations reported under paragraph (2); and

(B) the Secretary of Education, in consultation with the Attorney General and the

Secretary of Health and Human Services, shall report to Congress, any recommendations for changes to Federal law related to campus safety, including changes to section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) and other appropriate laws.

(c) DEFINITIONS.—For the purposes of this section:

(1) ACADEMIC YEAR.—The term ''academic year'' has the meaning given such term in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088).

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 102(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(1)), except that such term does not include institutions described in subparagraph (C) of such section.

(3) DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.—The terms ''domestic violence'', ''dating violence'', ''sexual assault'', and ''stalking'' have the meanings given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 4 13925(a)).

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2014 through 2018''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) evidence-based age education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, health care providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other nonprofit, nongovernmental organization.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Health care entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that are consistent with the best practices developed under section 402 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4) and—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2014 through 2018.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

"SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality; and

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

''(iv) the provision of training and followup technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities (which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas) for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools, including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.

''(4) APPLICATION.—

''(A) SUBSECTION (a)(1) AND (2) GRANTEES.—An entity desiring a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(B) SUBSECTION (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population-specific organizations with demonstrated expertise in addressing domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will

adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic violence, dating violence, or sexual assault on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating, and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) 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.

''(h) DEFINITIONS.—Except as otherwise provided in this section, the definitions in section 40002 of the Violence Against Women Act of 1994 apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (relating to research on effective interventions to address violence; 42 U.S.C. 13973; as added by section 505 of Public Law 109–162 (119 Stat. 3028)).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) each of the programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) for insurance of mortgages that bear interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing program or housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If a public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under

clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof, and include such notice in documents required by law to be provided to tenants assisted under a covered housing program.

''(2) PROVISION.—The applicable public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1) to an applicant for or tenant of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program; and

''(C) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order No. 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY RELOCATION AND TRANSFERS.—Each appropriate agency shall develop a model emergency relocation and transfer plan for voluntary use by public housing agencies and owners or managers of housing assisted under a covered housing program that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to relocate or transfer to another available and safe dwelling unit assisted under a covered housing program and retain their status as tenants under the covered housing program if—

''(A) the tenant expressly requests to move;

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) the sexual assault, domestic violence, dating violence, or stalking occurred on the premises during the 90-day period preceding the request to move; and

''(C) the tenant has provided documentation as described in subparagraph (A), (B), (C) or (D) of subsection (c)(3) if requested by a public housing agency or owner or manager;

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant;

''(3) describes how the appropriate agency will coordinate relocations or transfers between dwelling units assisted under a covered housing program;

''(4) takes into consideration the existing rules and regulations of the covered housing program;

''(5) is tailored to the specific type of the covered housing program based on the volume and availability of dwelling units under the control or management of the public housing agency, owner, or manager; and

''(6) provides guidance for use in situations in which it is not feasible for an individual public housing agency, owner, or manager to effectuate a transfer.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers for assistance under section 8(o)(16) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(16)), assistance under such section.

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident'' and all that follows through ''victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant'' and all that follows through ''assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident'' and all that follows through ''victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident'' and all that follows through ''victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act or the amendments made by this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act or the amendments made by this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975; as added by section 611 of Public Law 108–21 (117 Stat. 693)) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**'';

(B) in subsection (a)(1), by striking ''fleeing'';

(C) by striking subsection (f); and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2014 through 2018''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any significant activities that may compromise victim safety;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2014 through 2018''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2014 through 2018''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

(a) CLARIFICATION OF REQUIREMENTS FOR NONIMMIGRANT STATUS.—Section 101(a)(15)(U)(i)(III) of the and Nationality Act (8 U.S.C. 1101(a)(15)(U)) is amended—

(1) by striking ''is being helpful, or is likely to be helpful'' and inserting the following ''or is being helpful''; and

(2) by insert ''and has complied with any reasonable request for assistance in the Federal, State, or local investigation or prosecution of the criminal activity'' before ''; and''.

(b) CLARIFICATION OF CONTENT OF CERTIFICATION.—Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended by striking ''This certification shall state that the alien 'has been helpful, is being helpful, or is likely to be helpful' in the investigation or prosecution'' and inserting ''This certification shall state that the alien 'has been helpful or is being helpful' in the investigation or prosecution''.

SEC. 802. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).''; and

(B) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 803. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Represenatives and the Senate a report that includes the number of prosecutions for violations of section 833 of the International Marriage Broker Act of 2005 (8 U.S.C. 1375a) that have occurred since the date of enactment of that Act.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

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

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.''.

(2) In paragraph (2)(B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.''.

SEC. 804. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51)).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 805. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

(6) The actions being taken to combat fraud and to ensure program integrity.

(7) Each type of criminal activity by reason of which an alien received nonimmigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) during the preceding fiscal year and the number of occurrences of that criminal activity that resulted in such aliens receiving such status.

SEC. 806. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 807. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

''(i) is a VAWA self-petitioner;

''(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

''(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).''.

SEC. 808. AGE-OUT PROTECTION FOR U VISA APPLICANTS.

Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

''(7) AGE DETERMINATIONS.—

''(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

SEC. 809. HARDSHIP WAIVERS.

Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(4) by inserting after subparagraph (C) the following:

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSE.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Subsection (d) (as added by section 817(4) of the Violence Against Women and Department of Justice Reauthorization Act of 2005) of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

SEC. 811. CONSIDERATION OF OTHER EVIDENCE.

Section 237(a)(2)(E)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(E)(i)) is amended by adding at the end the following: ''If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

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

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

(C) by adding at the end the following:

''(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.''; and

(2) in paragraph (2)(B), by striking ''individuals or''.

SEC. 903. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

(a) IN GENERAL.—Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') is amended by adding at the end the following:

''SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

''(a) SPECIAL DOMESTIC VIOLENCE JURISDICTION.—

''(1) IN GENERAL.—A participating tribe is authorized to exercise jurisdiction in accordance with this section over an alleged offender who commits a covered offense. In exercising such jurisdiction, the participating tribe—

''(A) except as otherwise provided in this section, may exercise such jurisdiction to the same extent and in the same manner as the participating tribe has jurisdiction over a member of such tribe; and

''(B) shall not violate any right described in subsection (b)(3).

Jurisdiction under this section shall be referred to as 'special domestic violence jurisdiction'.

''(2) ALLEGED OFFENDER.—The term 'alleged offender' means a person—

''(A) who is not an Indian;

''(B) who is alleged to have committed a covered offense; and

''(C) who—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse, intimate partner, or dating partner of—

''(I) a member of the participating tribe; or

''(II) an Indian who resides in the Indian country of the participating tribe.

''(3) COVERED OFFENSE.—The term 'covered offense' means an offense that—

''(A) is committed against an Indian who is described in subclause (I) or (II) of paragraph (2)(C)(iii);

''(B) is punishable by the written laws of the participating tribe by a term of imprisonment of not more than 1 year; and

''(C) is—

''(i) an act of domestic violence or dating violence that occurs in the Indian country of the participating tribe; or

''(ii) an act that—

''(I) occurs in the Indian country of the participating tribe; and

''(II) violates the portion of a protection order that—

''(aa) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(bb) was issued against an alleged offender;

''(cc) is enforceable by the participating tribe; and

''(dd) is consistent with section 2265(b) of title 18, United States Code.

''(b) CERTIFICATION OF PARTICIPATING TRIBES.—

''(1) ELECTION.—An Indian tribe seeking to exercise special domestic violence juridiction shall submit to the Attorney General a request for certification as a participating tribe.

''(2) APPROVAL.—Not later than 120 days after receiving a request under paragraph (1), the Attorney General shall make a determination as to whether the tribe, in exercising special domestic violence jurisdiction, is able to afford, and provides adequate assurances that the tribe will afford, an alleged offender all the rights described in paragraph (3). If the Attorney General determines that the tribe is so able and the tribe provides such assurances, the Attorney General shall certify the tribe as a participating tribe. If the Attorney General determines that the tribe is not so able or has not provided such assurances, the Attorney General shall—

''(A) deny such a request; and

''(B) provide the Indian tribe with written notice thereof, including the reasons of the Attorney General for that denial and guidance on how the Indian tribe could obtain approval.

''(3) RIGHTS DESCRIBED.—The rights described in this paragraph are—

''(A) all rights described in section 202;

''(B) all rights secured by the Constitution of the United States, as such rights are interpreted by the courts of the United States; and

''(C) all rights otherwise provided for under this section.

''(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

''(1) to affect any jurisdiction of a participating tribe, other than the special domestic violence jurisdiction of that tribe, that such tribe possessed prior to the date of enactment of this section; or

''(2) to affect any criminal jurisdiction over Indian country of the United States, of a State, or of both.

''(d) CONCURRENCE OF JURISDICTION.—The exercise of special domestic violence jurisdiction shall be concurrent with any jurisdiction of the United States, of a State, or of both.

''(e) ISSUANCE OF PROTECTION ORDER.—A tribal court of a participating tribe may issue a protection order for the protection of an Indian who is described in subparagraph (A) or (B) of paragraph (3) of this subsection against a person who is not an Indian if that person—

''(1) resides in the Indian country of the participating tribe;

''(2) is employed in the Indian country of the participating tribe; or

''(3) is a spouse, intimate partner, or dating partner of—

''(A) a member of the participating tribe; or

''(B) an Indian who resides in the Indian country of the participating tribe.

''(f) REMOVAL.—

''(1) BY DEFENDANT.—

''(A) IN GENERAL.—Subject to paragraph (2), any criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending.

''(B) GROUNDS FOR REMOVAL.—The district court may grant removal under paragraph (1) only in the case of—

''(i) a violation of any provision of this section by the participating tribe; or

''(ii) a violation of a right described in subsection (b)(3) of the defendant.

''(C) MANNER OF REMOVAL.—In the case of a defendant desiring to remove a criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction, that defendant shall do so in the same form and manner as a defendant that seeks removal of a criminal prosecution from State court under section 1455 of title 28, United States Code. Sections 1447 through 1450 of such title shall apply in the case of such a removal. In applying sections 1447 through 1450 and section 1455 of such title purusant to this paragraph, the term 'State court' shall be read to include such tribal court.

''(D) NOTICE REQUIRED.—Not later than the time at which the defendant makes an initial appearance before a tribal court exercising special domestic violence jurisdiction or 48 hours after the time of arrest, whichever is earlier, the defendant shall be notified of the right of removal under this subsection.

''(2) BY UNITED STATES ATTORNEY.—

''(A) IN GENERAL.—Any criminal prosecution that is before a tribal court by reason of the exercise by that court of special domestic violence jurisdiction may be removed to the district court of the United States for the district and division embracing the place wherein it is pending by the United States attorney for that district and division.

''(B) NOTICE TO UNITED STATES ATTORNEY REQUIRED.—Not later than 48 hours after the defendant makes an initial appearance before the tribal court, the participating tribe shall provide notice to the United States attorney for the district and division embracing the tribal court that the tribal court is exercising special domestic violence jurisdiction in this prosecution.

''(C) APPLICABLE PROVISIONS.—Sections 1447 through 1450 of title 28, United States Code, shall apply in the case of a removal under this paragraph. In applying sections 1447 through 1450 of such title purusant to this paragraph, the term 'State court' shall be read to include a tribal court exercising special domestic violence jurisdiction.

''(D) REQUIREMENTS.—If the United State attorney seeks to remove a criminal prosecution pursuant to this paragraph, the United States attorney shall, not later than the commencement of trial in the prosecution, provide notice of removal to the tribal court. On receipt of such notice, the tribal court shall terminate all proceedings pertaining to that prosecution. A notice of removal filed under this subparagraph shall

identify the covered case and the grounds for removal

''(g) INTERLOCUTORY APPEAL.—In a criminal prosecution in which a tribal court exercises special domestic violence jurisdiction, the defendant may appeal an order of a tribal court to the United States district court for the district and division embracing the tribal court not later than 14 days after that order is entered if a district judge's order could similarly be appealed. The defendant shall file a notice with the clerk specifying the order being appealed and shall serve a copy on the adverse party.

''(h) REVIEW OF JUDGMENT AND SENTENCE.—

''(1) IN GENERAL.—Not later than 60 days after the date on which a tribal court enters a final judgment against a defendant in a criminal proceeding in which a participating tribe exercises special domestic violence jurisdiction, the defendant may petition the United States district court for the district and division embracing the tribal court for review of the final judgment against the defendant.

''(2) NOTICE TO DEFENDANT.—When the tribal court enters a final judgment, the tribal court shall inform the defendant of the right to petition for review of the final judgment under this subsection.

''(3) RELEASE OR DETENTION PENDING APPEAL.—Section 3143(b) of title 18, United States Code, shall apply in the case of a defendant under this subsection.

''(i) HABEAS CORPUS.—Any petition for habeas corpus by an alleged offender who is detained under the special domestic violence jurisidiction of a participating tribe shall be in accordance with section 2257 of title 28, United States Code.

''(j) CIVIL ACTION FOR DEPRIVATION OF RIGHTS.—

''(1) IN GENERAL.—Every person who, under color of any statute, ordinance, regulation, custom, or usage of any participating tribe, subjects, or causes to be subjected, any person over whom the participating tribe exercises special domestic violence jurisdiction to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States and Federal laws, shall be liable to the party injured in a civil action.

''(2) IMMUNITY FOR TRIBAL OFFICIALS.—In any action described in paragraph (1), tribal officials shall be entitled to claim the same immunity accorded public officials in actions brought under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983).

''(3) ADMINISTRATION.—

''(A) IN GENERAL.—An action described in paragraph (1) may be brought in any appropriate district court of the United States.

''(B) TIMING.—An action described in paragraph (1) shall commence not later than 4 years after the date on which the conduct giving rise to the action occurred.

''(k) GRANTS TO TRIBAL GOVERNMENTS.—

''(1) IN GENERAL.—The Attorney General may award grants to participating tribes—

''(A) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence jurisdiction, including—

''(i) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(ii) prosecution;

''(iii) trial and appellate courts;

''(iv) probation systems;

''(v) detention and correctional facilities;

''(vi) alternative rehabilitation centers;

''(vii) culturally appropriate services and assistance for victims and their families; and

''(viii) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(B) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(C) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(D) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(2) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this subsection shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this subsection.

''(3) PROHIBITION ON LOBBYING ACTIVITY.—Amounts authorized to be appropriated under this subsection may not be used by any grant recipient to—

''(A) lobby any representative of the Department of Justice regarding the award of grant funding under this subsection; or

''(B) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding under this subsection.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2014 through 2018 to carry out this subsection.

''(l) DEFINITIONS.—In this section:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed against a victim by a dating partner of that victim.

''(2) DATING PARTNER.—The term 'dating partner' has the meaning given such term in section 2266 of title 18, United States Code.

''(3) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by—

''(A) a current or former spouse or intimate partner of the victim; or

''(B) a person similarly situated to a spouse of the victim under the domestic- or family-violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

''(4) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

''(5) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that is certified under subsection (b) to exercise special domestic violence jurisdiction.

''(6) PROTECTION ORDER.—The term 'protection order'—

''(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

''(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

''(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.''.

(b) HABEAS CORPUS.—

(1) IN GENERAL.—Chapter 153 of title 28, United States Code, is amended—

(A) in section 2241(c)—

(i) in paragraph (5), by striking the period at the end and inserting the following: ''; or''; and

(ii) by adding at the end the following:

''(6) He is in custody for an act done or omitted and to which the special domestic violence jurisdiction under section 204 of Public Law 90–284 extends.''.

(B) by adding at the end the following:

''§ 2257. Special domestic violence jurisdiction

''For purposes of this chapter, an Indian tribe that is exercising special domestic violence jurisdiction under section 204 of Public Law 90–284 shall be treated as a State.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 153 of title 28, United States Code, is amended by inserting after the item relating to section 2256 the following:

''2257. Special domestic violence jurisdiction.''.

SEC. 904. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2013'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year;

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b); and

''(4) contains information compiled by the Federal Bureau of Investigation, on an annual basis and by Field Division, regarding decisions not to refer to an appropriate prosecuting authority cases in which investigations had been opened into an alleged crime in Indian country, including—

''(A) the types of crimes alleged;

''(B) the statuses of the accused as Indians or non-Indians;

''(C) the statuses of the victims as Indians or non-Indians; and

''(D) the reasons for deciding against referring the investigation for prosecution.

''(5) contains information compiled by each United States Attorney, on an annual basis and by Federal judicial district, regarding declinations of alleged violations of Federal criminal law that occurred in Indian country that were referred for prosecution by law enforcement agencies, including—

''(A) the types of crimes alleged;

''(B) the statuses of the accused as Indians or non-Indians;

''(C) the statuses of the victims as Indians or non-Indians; and

''(D) the reasons for deciding against referring the investigation for prosecution.

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2013''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2014 and 2015''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 906. ASSISTANT UNITED STATES ATTORNEY DOMESTIC VIOLENCE TRIBAL LIAISONS.

Section 13(b) of the Indian Law Enforcement Reform Act (25 U.S.C. 2810(b)) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following:

''(9) Serving as domestic violence tribal liaison by doing the following:

''(A) Encouraging and assisting in arrests and Federal prosecution for crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

''(B) Conducting training sessions for tribal law enforcement officers and other individuals and entities responsible for responding to crimes in Indian country to ensure that such officers, individuals, and entities understand their arrest authority over non-Indian offenders.

''(C) Developing multidisciplinary teams to combat domestic and sexual violence offenses against Indians by non-Indians.

''(D) Consulting and coordinating with tribal justice officials and victims' advocates to address any backlog in the prosecution of crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

''(E) Developing working relationships and maintaining communication with tribal leaders, tribal community and victims' advocates, and tribal justice officials to gather information from, and share appropriate information with, tribal justice officials.''.

SEC. 907. SPECIAL ATTORNEYS.

Section 543(a) of title 28, United States Code, is amended by striking '', including'' and all that follows through the period at the end and inserting the following: ''The Attorney General shall appoint qualified tribal prosecutors and other qualified attorneys to assist in prosecuting Federal offenses committed in the Indian country of no fewer than 10 federally recognized tribes, with a preference given to those tribes that do not exercise special domestic violence jurisdiction as defined in section 204(a) of title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the 'Indian Civil Rights Act of 1968').''.

SEC. 908. GAO STUDY.

The Comptroller General of the United States shall submit to the Congress a report on—

(1) the prevalence of domestic violence and sexual assault in Indian Country;

(2) the efforts of Federal law enforcement agencies, including the Federal Bureau of Investigation and Bureau of Indian Affairs, to investigate these crimes; and

(3) Federal initiatives, such as grants, training, and technical assistance, to help address and prevent such violence.

TITLE X—CRIMINAL PROVISIONS

SEC. 1001. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

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

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with, or pursuant to an intergovernmental service agreement with, the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1002. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''(a) Whoever uses the mail, any interactive computer service, or any facility of interstate or foreign commerce to engage in a course of conduct or travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or intimidate another person, or place another person under surveillance with the intent to kill, injure, harass, or intimidate such person and in the course of, or as a result of, such travel or course of conduct—

''(1) places that person in reasonable fear of the death of, or serious bodily injury to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner; or

''(2) causes or attempts to cause serious bodily injury or serious emotional distress to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner;

shall be punished as provided in subsection (b).

''(b) The punishment for an offense under this section is the same as that for an offense under section 2261, except that if—

''(1) the offense involves conduct in violation of a protection order; or

''(2) the victim of the offense is under the age of 18 years or over the age of 65 years, the offender has reached the age of 18 years at the time the offense was committed, and the offender knew or should have known that the victim was under the age of 18 years or over the age of 65 years;

the maximum term of imprisonment that may be imposed is increased by 5 years over the term of imprisonment otherwise provided for that offense in section 2261.''.

(b) CLERICAL AMENDMENT.—The item relating to section 2261A in the table of sections at the beginning of chapter 110A of title 18, United States Code, is amended to read as follows:

''2261A. Stalking.''.

SEC. 1003. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3), by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (5), by striking ''1 year'' and inserting ''5 years'';

(F) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(G) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

The SPEAKER pro tempore. Pursuant to House Resolution 83, the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Washington.

Mrs. MCMORRIS RODGERS. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, we've heard strong bipartisan support over the last hour for the Violence Against Women Act and standing for all victims.

I remain convinced that the House amendment is the strongest reauthorization of VAWA and the one that should be sent to the President's desk. It's a responsible bill that protects all victims of domestic violence. It's a bill that holds offenders fully accountable for their crimes. It is a bill that respects the Constitution.

It puts the focus on the victim, where it should be. It provides the necessary services and resources to victims while at the same time strengthening investigations and prosecutions to lock away offenders for a longer period of time.

What it does not do is engage in the type of divisive, political rancor that many have tried to leverage or exploit. Republicans want to reauthorize a bill that protects women, not promotes partisanship.

□ 1050

Over the last few months, the debate over VAWA has been muddled with partisan attacks. In fact, just last week, comments were made that claim the House bill will not provide critical protections for rape victims, domestic violence victims, human trafficking victims, students on campus, or stalking victims, or that the House Republican leadership just doesn't get it.

None of these assertions are further from the truth, and it is this political bickering and these baseless accusations that keep Congress from doing the job to protect those who need the most protection, because this bill is about people, not politics.

It's about Rebecca Schiering, from my home near Spokane Valley, who broke up with her fiance after a domestic dispute. Two months later, he shot and killed her and her 9-year-old son. It's about Michelle Canino of north Spokane, who was stabbed to death by her husband, Jeffrey, while her 11-year-old son watched the entire thing. This bill is about Rebecca and Michelle and the millions of women like them all across this country who need protection, and that's what this bill will do. It ensures that all vulnerable populations are protected. No one is excluded from it or can be discriminated against.

The bill ensures that resources are available for critical services. It ensures that victims and their families have access to housing. It ensures that investigations and prosecutions are more effective in putting offenders away for a longer period of time. It ensures that Native American women have access to justice on Indian land and in such a way that prohibits offenders from getting off the hook.

I am disappointed that even some of our country's most influential leaders—the ones who have the ability to move this legislation through Congress and get it to the President's desk—have dismissed this House bill. It is a responsible step forward, and I urge its support.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 10 minutes.

Mr. CONYERS. Ladies and gentlemen of the House, the controlling objective here is that, if we reject the substitute and, instead, adopt the bipartisan and comprehensive Senate bill, the bill will go directly to the President for his signature. So I rise in strong opposition to the substitute and in support of the Senate bill, the Violence Against Women Act of 2013.

Madam Speaker, I yield 30 seconds to the distinguished gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Madam Speaker, in a letter written by our friend and colleague TOM COLE, a Member of Congress, he says that he does not support the House substitute to VAWA because it does not adequately recognize sovereignty or give them the tools that they need to combat violence against women.

HOUSE OF REPRESENTATIVES,
Washington, DC.

Why I'm Voting Against the House Substitute Amendment to S. 47

DEAR REPUBLICAN COLLEAGUE: I want to let you know why I will vote against the House substitute to S. 47, the Violence Against Women Act (''VAWA''). While the House substitute to VAWA has improved tremendously over what this body passed last Congress, it falls short of giving tribes what they need to keep their women safe.

Unlike the Senate version, the House substitute fails to recognize existing tribal sovereignty that is enshrined in the Constitution by requiring tribes to seek DOJ certification before exercising jurisdiction over non-Indian offenders, and waives tribes' sovereign immunity. It doesn't make sense to force tribes to abdicate part of their sovereignty to exercise another part of their sovereignty.

Like most Republicans, I believe in moving control away from the federal government towards local governments. Tribal governments are local governments, and tribes do a good job of taking care of tribal citizens when they have the resources to do so. Tribes do not support the House substitute to VAWA because it does not adequately recognize sovereignty or give them the tools they need to combat violence against Indian women. I trust the tribes to understand their needs best, and that is why I will vote against the House substitute and in favor of the Senate VAWA bill, S. 47.

Sincerely,

TOM COLE,
Member of Congress.

Mr. CONYERS. I thank the gentlelady.

Members of the House, I was here in 1994 when the Violence Against Women Act was introduced to provide critical lifesaving assistance for women, children and men. This law has been the centerpiece of our government's commitment to combating domestic violence, dating violence, stalking, and sexual assault. The results have been striking:

In the nearly two decades since the landmark legislation was passed, the rate of intimate partner violence against women has dropped by nearly two-thirds. On two occasions since its enactment, Members of both bodies have worked on a bipartisan basis to extend the Violence Against Women Act's protections and to make necessary improvements.

Unfortunately, in the last Congress, we weren't able to agree on a bill, and the authorization was allowed to lapse. This month, the Senate took the unique opportunity to pass strong bipartisan legislation by a vote of 78–22—with all of the women in the Senate. It incorporates years of analysis of the problem and the solutions proposed by law enforcement and victim service providers. In my judgment, it is much stronger.

I urge my colleagues to join with me, the 78 Senators, the President, and the more than 1,300 organizations in supporting S. 47, the Violence Against Women Act.

I reserve the balance of my time.

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

February 22, 2013.

DEAR HOUSE LEADERS: We, the undersigned local, state, tribal, and national organizations, represent and support millions of victims of domestic violence, dating violence, sexual assault and stalking throughout the United States, American Indian Tribal lands and U.S. Territories. On behalf of the victims we represent, and the professionals who serve them and the communities that sustain them, we ask that you support the Violence Against Women Act's (VAWA) reauthorization by bringing the recently-passed bipartisan Senate VAWA (S.47) to the House floor for a vote as speedily as possible. As you know, VAWA passed the Senate on Tuesday, February 12 with a resounding bipartisan vote of 78–22 in favor of an all-embracing bill that strives to address violence for all victims in communities, homes, campuses and workplaces all around the country.

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

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against girls and women, boys and men. More victims report domestic violence to the police and the rate of nonfatal intimate partner violence against women has decreased by 64%. The sexual assault services program in VAWA helps rape crisis centers keep their doors open to provide the front-line response to victims of rape. VAWA provides for a coordinated community approach, improving collaboration between law enforcement and victim services providers to better meet the needs of victims. These comprehensive and cost-effective programs not only save lives, they also save money. In fact, VAWA saved nearly $12.6 billion in net averted social costs in just its first six years.

VAWA has unquestionably improved the national response to these terrible crimes. Nonetheless, much work remains to be done to address unmet needs and enhance access to protections and services for all victims, including housing, campus security, and addressing the needs of racial and ethnic communities, tribal, immigrant and LGBT victims. We urge you work with your colleagues in both parties as we all work to build upon VAWA's successes, continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable and to keep victims and their families safe from future harm. Thank you.

Sincerely,

NATIONAL ORGANIZATIONS

1. 3 DVas, LLC
2. 9to5
3. Abortion Care Network
4. AFGE Women's/Fair Practices Departments
5. AFL–CIO
6. African Action on Aids
7. AFSCME
8. After The Trauma
9. Alianza—National Latino Alliance for the Elimination of Domestic Violence
10. Alliant International University
11. American Association of University Women (AAUW)
12. American Baptist Women's Ministries, ABCUSA
13. American College Health Association
14. American Congress of Obstetricians and Gynecologists
15. American Dance Therapy Association
16. American Federation of Government Employees, AFL–CIO
17. American Federation of Labor–Congress of Industrial Organizations
18. American Federation of State, County, and Municipal Employees
19. American Federation of Teachers, AFL/CIO
20. American Humanist Association
21. American Postal Workers Union
22. American Psychiatric Association
23. American Psychological Association
24. American-Arab Anti-Discrimination Committee (ADC)
25. Americans for Immigrant Justice, Americans Overseas Domestic Violence Crisis Center
26. Amnesty International USA
27. Anti-Defamation League
28. Asian & Pacific Islander American Health Forum
29. Asian & Pacific Islander Institute on Domestic Violence
30. Asian American Justice Center, member of Asian American Center for Advancing Justice
31. Asian Pacific American Labor Alliance, AFL-CIO
32. Asian/Pacific Islander Domestic Violence Resource Project
33. ASISTA Immigration Assistance
34. Association of Jewish Family & Children's Agencies
35. Association of Physicians of Pakistani Descent in N. America (APPNA)
36. Bah'ais of the United States
37. Battered Mothers Custody Conference
38. Black Women's Health Imperative
39. Black Women's Roundtable
40. Break the Cycle
41. Business and Professional Women's Foundation
42. Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
43. Casa Esperanza
44. Center for Family Policy and Practice
45. Center for Partnership Studies
46. Center for Reproductive Rights
47. Center for Women Policy Studies
48. Central Conference of American Rabbis
49. Choice USA
50. Church Women United
51. Circle of 6 App
52. Clan Star
53. Clery Center for Security On Campus
54. Coalition of Labor Union Women
55. Coalition on Human Needs
56. Communications Workers of America
57. Communications Workers of America (CWA)
58. Community Action Partnership
59. cultureID
60. CWA National Women's Committee
61. Daughters of Penelope
62. Delta Sigma Theta Sorority
63. Dialogue on Diversity
64. Disciples Justice Action Network
65. Domestic Abuse intervention Programs
66. Domestic Violence Legal Empowerment and Appeals Project (DV LEAP)
67. Elder Justice Coalition
68. Episcopal Church
69. Episcopal Women's Caucus
70. Expert Panel on violence, American Academy of Nursing
71. FaithTrust Institute
72. Falling Walls
73. Family Equality Council
74. Federally Employed Women (FEW)
75. Feminist Agenda Network
76. Feminist Majority
77. Feminist Peace Network
78. Freedom from Hunger
79. Friends Committee on National Legislation
80. Friends of Nabeela
81. Futures Without Violence
82. Gay & Lesbian Medical Association
83. General Board of Church & Society, United Methodist Church
84. General Federation of Women's Clubs
85. George Washington University Law School
86. Girls Inc.
87. GLMA: Health Professionals Advancing LGBT Equality
88. GLSEN (Gay, Lesbian & Straight Education Network)
89. Hadassah, The Women's Zionist Organization of America, Inc.
90. HIAS (Hebrew Immigrant Aid Society)
91. Hindu American Seva Communities
92. Human Rights Campaign
93. Indian Law Resource Center
94. Inspire Action for Social Change
95. Institute for Interfaith Activism
96. Institute for Science and Human Values
97. Institute on Domestic Violence in the African American Community
98. IOFA
99. Jewish Council for Public Affairs
100. Jewish Labor Committee
101. Jewish Women International
102. Joe Torre Safe at Home Foundation
103. Labor Council for Latin American Advancement
104. League of United Latin American Citizens
105. Legal Momentum
106. LiveYourDream.org
107. Log Cabin Republicans
108. Media Equity Collaborative
109. Men Can Stop Rape
110. Mennonite Central Committee U.S. Washington Office
111. Men's Resources International
112. Methodist/Catholic
113. Mexican American Legal Defense and Educational Fund
114. Migrant Clinicians Network
115. MomsRising
116. Ms. Foundation for Women
117. Muslim American Society
118. Muslim Bar Association
119. Muslim Public Affairs Council
120. Muslims for Progressive Values
121. NAACP
122. NAPAFASA
123. National Advocacy Center of the Sisters of the Good Shepherd
124. National Alliance to End Sexual Violence
125. National Asian Pacific American Bar Association (NAPABA)
126. National Association of Commissions for Women (NACVV)
127. National Association of Hispanic Organizations
128. National Association of School Psychologists

129. National Association of State Head Injury Administrators
130. National Association of VOCA Assistance Administrators
131. National Center for Lesbian Rights
132. National Center for Transgender Equality
133. National Center for Victims of Crime
134. National Center on Domestic and Sexual Violence
135. National Clearinghouse for the Defense of Battered Women
136. National Coalition Against Domestic Violence
137. National Coalition for LGBT Health
138. National Coalition of 100 Black Women
139. National Coalition of Anti-Violence Programs (NCAVP)
140. National Coalition on Black Civic Participation
141. National Committee for the Prevention of Elder Abuse
142. National Congress of American Indians
143. National Council for Jewish Education
144. National Council of Churches, USA
145. National Council of Jewish Women
146. National Council of Juvenile and Family Court Judges
147. National Council of the Churches of Christ in the USA
148. National Council of Women's Organizations
149. National Council on Independent Living
150. National Dating Abuse Helpline
151. National Domestic Violence Hotline
152. National Employment Law Project
153. National Fair Housing Alliance
154. National Family Justice Center Alliance
155. National Focus on Gender Education
156. National Gay and Lesbian Task Force Action Fund
157. National Hispanic Council on Aging
158. National Housing Law Project
159. National Indian Health Board
160. National Latina Institute for Reproductive Health
161. National Latina Psychological Association
162. National Latina/o Psychological Association
163. National Law Center on Homelessness & Poverty
164. National Network to End Domestic Violence
165. National Org of Asian Pacific Islanders Ending Sexual Violence
166. National Organization for Men Against Sexism
167. National Organization for Women (NOW)
168. National Organization of Asian Pacific Islanders Ending Sexual Violence
169. National Organization of Black Law Enforcement Executives
170. National Organization of Sisters of Color Ending Sexual Assault
171. National Partnership for Women & Families
172. National Research Center for Women & Families
173. National Resource Center on Domestic Violence
174. National Stonewall Democrats
175. National WIC Association
176. National Women's Health Network
177. National Women's Law Center
178. National Women's Political Caucus
179. Native American Indian Court Judges Association
180. Native American Indian Housing Council
181. NCAI
182. NCCE
183. NETWORK, A National Catholic Social Justice Lobby
184. NLPA
185. Nursing Network on Violence against Women International
186. NVC Academy
187. One Woman's Voice
188. Our Bodies Ourselves
189. OWL—The Voice of Midlife and Older Women
190. Peaceful Families Project
191. PFLAG National
192. Rape Crisis Services
193. Rape, Abuse & Incest National Network (RAINN)
194. Reformed Church in America
195. Religious Coalition for Reproductive Choice
196. Rural Women's Health Project
197. Rural Womyn Zone
198. Ryan Immigration Law
199. Safe Kids International
200. Safe Nation Collaborative
201. Sargent Shriver National Center on Poverty Law
202. Sauti Yetu
203. School and College Organization for Prevention Educators
204. Secular Woman
205. Self Empowerment Strategies
206. SER-Jobs for Progress National Inc.
207. Service Employees International Union
208. Share Time Wisely Consulting Services
209. Sisters of Color Ending Sexual Assault
210. Sisters of Mercy Institute Justice Team
211. Sojourners
212. South Asian Americans Leading Together (SAALT)
213. Spittin' Out the Pitts
214. Stonewall Democratic Club
215. SuhaibWebb.com
216. Survivors In Service
217. Tahirih Justice Center
218. Take Back The Night
219. The Episcopal Church
220. The Jewish Federations of North America
221. The Leadership Conference on Civil and Human Rights
222. The Line Campaign
223. The National Council on Independent Living
224. The National Resource Center Against Domestic Violence
225. The United Methodist Church, General Board of Church & Society
226. Tribal Law and Policy Institute
227. UAW
228. Union for Reform Judaism
229. Union Veterans Council, AFL–CIO
230. Unitarian Universalist Association
231. United Church of Christ, Justice & Witness Ministries
232. United States Hispanic Leadership Institute
233. United Steelworkers
234. UniteWomen.org
235. US National Committee for UN Women
236. US women Connect
237. USAction
238. V-Day
239. Veteran Feminists of America
240. Victim Rights Law Center
241. Vital Voices Global Partnership
242. We Are Woman
243. Winning Strategies
244. Witness Justice
245. Women Enabled, Inc.
246. Women of Color Network
247. Women of Reform Judaism
248. Women, Action & the Media
249. Women's Action for New Directions
250. Women's Business Development Center
251. Women's Institute for Freedom of the Press
252. Women's International League for Peace and Freedom
253. Women's Media Center
254. Women's Resource Center
255. YWCA USA
256. Zonta

ALABAMA

1. Alabama Coalition Against Domestic Violence
2. Alabama—NOW
3. St Vincent's Hospital
4. The Hispanic Interest Coalition of Alabama (HICA)

ALASKA

1. WOMEN IN SAFE HOME, INC
2. Native Village of Emmonak Women's Shelter
3. South Peninsula Haven House
4. Yup''ik Women's Coalition
5. YWCA Alaska

ARIZONA

1. Arizona Bridge to Independent Living
2. Arizona Coalition Against Domestic Violence
3. Arizona NOW
4. Arizona State University
5. Child Crisis Center Foundation
6. Community Alliance Against Family Abuse
7. Family LAW CASA
8. Hopi-Tewa Women's Coalition to End Abuse
9. Jewish Community Relations Council (Tucson)
10. M.U.J.E.R. Inc.
11. National Organization for Women—AZ
12. Phoenix/Scottdale NOW
13. Protecting Arizona's Family Coalition (PAFCO)
14. Southern Arizona Center Against Sexual Assault
15. Southwest Indigenous Women's Coalition
16. Yavapai Family Advocacy Center
17. Yup'ik Women's Coalition

ARKANSAS

1. Arkansas Coalition Against Domestic Violence
2. Arkansas Coalition Against Sexual Assault
3. Arkansas NOW

CALIFORNIA

1. 9to5 Bay Area
2. 9to5 California
3. 9to5 Los Angeles
4. AAUW, Big Bear Valley Branch
5. Alliance Against Family Violence and Sexual Assault
6. Alliance Against Family Violence and Sexual Assault
7. Alliant International University
8. Antolino Family Wellness Center
9. Asia Pacific Cultural Center
10. Asian Law Caucus
11. Asian Pacific American Legal Center, Member of Asian American Center for Advancing Justice
12. Bay Area Turning Point, Inc.
13. Bay Area Women's Center
14. CA Rural Indian Health Board, Inc.
15. California Coalition Against Sexual Assault
16. California Latinas for Reproductive Justice
17. California National Organization for Women
18. California Partnership to End Domestic Violence
19. California Protective Parents Association
20. California School of Professional Psychology
21. California School of Professional Psychology at Al
22. California Women Lawyers
23. CARECEN Los Angeles
24. Catalyst Domestic Violence Services
25. Catalyst Domestic Violence Services

26. Center For A Non Violent Community
27. Center for the Pacific Asian Family
28. Central CA Coalition of Labor Union Women
29. Children's Institute, Inc.
30. Choices Domestic Violence Solutions
31. Clergy and Laity United for Economic Justice, Los Angeles
32. Community Overcoming Relationship Abuse
33. County of Sacramento, Native American Caucus
34. C—VISA, Coachella Valley Immigration Service and Assistance
35. Domestic Abuse Center
36. Domestic Violence Solutions for Santa Barbara County
37. DOVES in Natchitoches, LA
38. DOVES of Big Bear Lake, Inc.
39. End DV Counseling and Consulting
40. Episcopal Women's Caucus
41. Family Services of Tulare County
42. Forward Together
43. Freshwater Haven
44. Good Shepherd Shelter
45. Haven Hill, Inc
46. Haven Women's Center of Stan islaus
47. Hollywood Chapter of the National Organization for Women
48. House of Ruth, Inc.
49. Humboldt County Domestic Violence Coordinating Council
50. Immigration Services of Mountain View
51. Institute for Multicultural Counseling and Education Services (IMCES)
52. Instituto Para La Mujer
53. Inter-Tribal Council of California, Inc.
54. Lone Band of Miwok Indians
55. Jafri Law Firm
56. Jewish Community Relations Council
57. Jewish Family Service of Los Angeles
58. Jewish Federation of the Sacramento Region
59. L.A. Gay & Lesbian Center
60. La Casa de las Madres
61. La Jolla Band of Luiseno Indians
62. Law Students for Reproductive Justice
63. Marjaree Mason Center
64. Maya Chilam Foundation
65. MINDS—Medical Network Devoted to Service
66. Miracle Mile LA NOW
67. Monterey County Rape Crisis Center
68. MORONGO BASIN UNITY HOME
69. Mountain Crisis Services, Inc
70. National Coalition of 100 Black Women, San Francisco Chapter
71. National Coalition of 100 Black Women, Silicon Valley Chapter
72. National Council of Jewish Women, Sacramento Section
73. National Hispanic Media Coalition
74. Oakland County Coordinating Council against Domestic Violence
75. OPCC
76. Option House, Inc.
77. Project: Peacemakers, Inc
78. Rainbow Community Cares
79. Rainbow Services, Ltd.
80. Sacramento Native American Health Center
81. Safe Alternatives to Violent Environments (SAVE)
82. Santa Fe Natl. Organization for Women
83. Sexual Assault/Domestic Violence Center
84. Shasta Women's Refuge
85. Shelter From the Storm
86. Sojourn Services For Battered Women And Their Children
87. South Asian Network (SAN)
88. Southern Indian Health Council, Inc.
89. STAND! for Families Free of Violence
90. Strong Hearted Native Women's Coalition, Inc
91. The Good Shepherd Shelter
92. Tri-Valley Haven
93. Valley Crisis Center
94. Victim Compensation and Government Claim Board
95. Violence Intervention Program
96. Wild Iris Women's Service in Bishop, Inc.
97. WOMAN, Inc
98. Women's and Children's Crisis Shelter, Inc.
99. Women's Center-High Desert, Inc.
100. Women's Crisis support—Defensa de Mujeres
101. WordsMatter.Episcopal Expansive Language Project
102. YWCA Glendale, CA
103. YWCA Greater Los Angeles
104. YWCA San Diego County

COLORADO

1. 9to5 Colorado
2. Advocate Safehouse Project
3. Advocates Crisis Support services
4. Advocates for a Violence-Free Community
5. Advocates for Victims of Assault
6. Alamosa County Sheriffs Office
7. Alamosa Victim Response Unit
8. Alternatives to Violence, Inc.
9. Archuleta County Victim Assistance Program
10. Catholic Charities Diocese of Pueblo
11. Center on Domestic Violence
12. Colorado Anti-Violence Program
13. Colorado Coalition Against Domestic Violence
14. Colorado Coalition Against Sexual Assault
15. Colorado Coalition Against Sexual Assault (CCASA)
16. Colorado Mesa University Association of Feminists
17. Colorado Sexual Assault & Domestic Violence Center
18. Deaf Overcoming Violence through Empowerment
19. Domestic Safety Resource Center
20. Douglas County Task Force on Family Violence, Inc.
21. Dove Advocacy Services for Abused Deaf Women and Children
22. Gateway Battered Women's Services
23. Gay-Straight Alliance, Colorado Mesa University
24. Gunnison County Law Enforcement Crime Victim Services
25. Gunnison County Sheriffs Office
26. Immigrant Legal Center of Boulder County
27. Justice & Mercy Legal Aid Clinic
28. Latina Safe House
29. Moving to End Sexual Assault (MESA)
30. NEWSED C.D.C.
31. NOW Colorado
32. Park County Sheriffs Office, Victim Services
33. Pueblo Rape Crisis Services
34. Rape Assistance and Awareness Program
35. RESPONSE: Help for Survivors of Domestic Violence and Sexual Assault
36. Rocky Mountain Immigrant Advocacy Network
37. Rose Forensic & Treatment Services, LLC (Denver, CO)
38. San Luis Valley Immigrant Resource Center
39. San Luis Valley Victim Response Unit (Alamosa)
40. Servicios de La Raza
41. Sexual Assault Victim Advocate Center
42. SLV Regional Medical Center
43. TESSA of Colorado Springs
44. The Latina Safehouse
45. Tu Casa, Inc.

CONNECTICUT

1. Beth El Temple Sisterhood
2. Betty Gallo & Company
3. Bridgeport Public Education Fund
4. Center for Women and Families—Bridgeport, CT
5. Center for Women and Families of Eastern Fairfield County Connecticut
6. Connecticut Coalition Against Domestic Violence
7. Connecticut Sexual Assault Crisis Services
8. CT NOW
9. Hartford GYN Center
10. Local 530
11. Meriden-Wallingford Chrysalis, Inc.
12. New Haven Legal Assistance Association
13. Quinnipiac University
14. Safe Haven of Greater Waterbury
15. Sexual Assault Crisis Center of Eastern Connecticut, Inc.
16. Susan B. Anthony Project, Inc.
17. The Center for Sexual Assault Crisis Counseling and Education
18. The Center for Women and Families of Eastern Fairfield County
19. United Services, Inc.
20. Women and Families Center
21. Women's Center of Greater Danbury, Inc.
22. YWCA Darien-Norwalk
23. YWCA Greenwich
24. YWCA Hartford Region
25. YWCA New Britain

DISTRICT OF COLUMBIA

1. Ayuda
2. 51st State NOW
3. Community Action Partnership
4. DC Coalition Against Domestic Violence
5. District Alliance for Safe Housing (DASH)
6. Family Place
7. Freedom House
8. George Washington University Law School
9. Hispanic Federation
10. Human Rights Campaign
11. Lutheran Social Services
12. My Sister's Place DC
13. National Capital Area Union Retirees
14. National Organization for Women, Washington, DC Chapter
15. Ramona's Way
16. Safe Haven Ministries
17. SAGE Metro DC
18. Solutions Center
19. Survivors and Advocates for Empowerment (SAFE), Inc.
20. The Family Place
21. Turning Anger Into Change
22. William Kellibrew Foundation
23. Women's Information Network
24. YWCA National Capital Area

DELAWARE

1. ContactLifeline, Inc.
2. DE Coalition Against Domestic Violence
3. Delaware NOW
4. Delaware Opportunities, Safe Against Violence
5. Domestic Abuse Project of Delaware County
6. HelpLine of Delaware and Morrow County
7. National Coalition of 100 Black Women, Delaware Chapter
8. Sexual Assault Network of Delaware
9. Women's Resources of Monroe County, Inc.

FLORIDA

1. Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
2. Betty Griffin House
3. Chain of Lake Achievers, Inc.
4. Children's Advocacy Center for Volusia and Flagler Counties
5. Community Action Stops Abuse
6. Democratic Women's Club of Northeast Broward
7. DOVES, Lake County
8. Empowerment Christian Community Corp

9. Enfamilia, Inc
10. Florida Consumer Action Network
11. Florida Council Against Sexual Violence
12. Florida Equal Justice Center
13. Florida National Organization for Women
14. Hispanic AIDS Awareness Program
15. Jacksonville Area Legal Aid, Inc.
16. Manatee Glens Rape Crisis Services
17. National Coalition for 100 Black Women, Polk County Chapter
18. National Organization For Women, Bay County Chapter
19. National Organization for Women, Broward Chapter
20. Palm Beach County Victim Services and Rape Crisis Center
21. Pinellas County Domestic Violence Task Force
22. Polk Co Women's Shelter
23. REACH / FCC
24. Safe Harbor Counseling, Inc.
25. South Florida CLUW chapter
26. The Haven of RCS
27. University of Miami School of Law Human Rights Clinic
28. UNO Immigration Ministry
29. West Pinellas National Organization for Women
30. Women's Center of Jacksonville
31. Women's Production Network, Inc.
32. YWCA Palm Beach County

GEORGIA

1. 9to5 Atlanta
2. 9to5 Atlanta Working Women
3. Angels Recovery & Spirituality
4. Atlanta Women's Center
5. C.O.T.T.A.G.E.Life Coaching, LLC
6. Caminar Latino, Inc.
7. Center for Pan Asian Community Services, Inc
8. Cherokee Family Violence Center
9. Defying the Odds, Inc
10. Faith House, Inc.
11. Georgia Coalition Against Domestic Violence
12. Georgia Mountain Women's Center, Inc.
13. Georgia Rural Urban Summit
14. Hospitality House for Women, Inc.
15. International Women's House
16. Jewish Family & Career Services, Atlanta, Georgia
17. Northwest Georgia Family Crisis Center
18. PADV Partnership Against Domestic Violence
19. Raksha, Inc
20. Ruth's Cottage
21. Safe Shelter
22. Sankofa Counseling Center
23. Sexual Assault Center of NWGA
24. Shalom Bayit Program of Jewish Family & Career Services
25. SpeakOut Georgia LBGT Anti-Violence
26. Support in Abusive Family Emergencies, Inc (S.A.F.E.)
27. Victim Services South Georgia Judicial Circuit

GUAM

1. Guam Coalition Against Sexual Assault & Family Violence

HAWAII

2. AARP Chapter 60 Waikiki
3. AAUW, Honolulu women's coalition, others
4. American Congress of Obstetricians and Gynecologists, Hawaii Section
5. Breasffeeding Hawaii
6. Catholic Charities Hawaii
7. Catholic Charities Hawaii
8. Child & Family Service—Hawaii
9. Community Alliance on Prisons
10. Domestic Violence Action Center Honolulu
11. Hawai'i Women's Coalition
12. Hawaii Commission on the Status of Women
13. Hawaii Rehabilitation Counseling Assoc.
14. Hawaii State Coalition Against Domestic Violence
15. Hawaii State Democratic Women's Caucus
16. Moloka'i Community Service Council
17. Parents And Children Together, A Family Service Agency
18. The Sex Abuse Treatment Center
19. Women Helping Women Lanai
20. YWCA Kauai
21. YWCA O'ahu

IDAHO

1. Idaho Coalition Against Sexual & Domestic Violence
2. Idaho State Independent Living Council
3. Native Women's Coalition, Boise
4. United Action for Idaho
5. YWCA Lewiston-Clarkston

IOWA

1. Aging Resources
2. Center for Creative Justice
3. Centers Against Abuse & Sexual Assault
4. Crisis Center & Women's Shelter
5. Crisis Intervention & Advocacy Center
6. Des Moines NOW
7. DIAA/CSD
8. Domestic Violence Alternatives/Sexual Assault Center, Inc.
9. Domestic Violence Intervention Program, Iowa
10. Family Resources
11. Iowa Citizen Action Network
12. Iowa Coalition Against Domestic Violence
13. Latinas Unidas por un Nuevo Amanecer (LUNA, Iowa)
14. Mid-Iowa SART
15. Monsoon United Asian Women of Iowa
16. Nisaa African Women's Project
17. Riverview Center
18. Rural Iowa Crisis Center
19. Seeds of Hope

ILLINOIS

1. A Safe Place Domestic Violence Shelter
2. ADV & SAS
3. Apna Ghar, Inc. (''Our Home'')
4. Arab American Family Services
5. Between Friends—Chicago
6. Center on Halsted
7. Christ United Methodist Church, Rockford,IL
8. Citizen Action/Illinois
9. Crisis Center for South Suburbia
10. DuPage County NOW
11. Family Rescue, Inc.
12. Family Shelter Service
13. GLOBES
14. Guardian Angel Community Services
15. Hamdard Center for Health and Human services
16. HEART Women & Girls
17. Hearts of Hope
18. HOPE of East Central Illinois
19. Hospira
20. Illinois Coalition Against Domestic Violence
21. Illinois Coalition Against Sexual Assault
22. Illinois National Organization for Women
23. Jewish Child and Family Services
24. Jewish Federation of Metropolitan Chicago
25. Kankakee County Center Against Sexual Assault (KC–CASA)
26. Mercer County Family Crisis Center
27. Metropolitan Family Services
28. Mujeres Latinas en Accion
29. Mutual Ground, Inc.
30. National Council of Jewish Women Illinois State Policy Advocacy Committee
31. Prairie Center Against Sexual Assault
32. Rainbow House Domestic Abuse Services, Inc.
33. Rape Victim Advocates
34. Riverview Center
35. Rockford Sexual Assault Counseling
36. Safe Harbor Family Crisis Center
37. Sarah's Inn
38. Sexual Health Peers of the University of Illinois
39. Sojourn Shelter & Services, Inc
40. South Suburban Family Shelter
41. Streamwood Police Department
42. The Center for Prevention of Abuse
43. Vermilion County Rape Crisis Center
44. Violence Prevention Center of Southestem IL
45. Violence Prevention Center of Southwestern IL
46. VOICE Sexual Assault Services
47. VOICES DV Stephenson County
48. WINGS Program, Inc.
49. WIRC–CAA Victim Services
50. YWCA Elgin
51. YWCA Evanston North Shore
52. YWCA Kankakee
53. YWCA McLean County
54. YWCA Metropolitan Chicago
55. YWCA Rockford
56. YWCA Sauk Valley
57. Zacharias Sexual Abuse Center

INDIANA

1. Alcohol and Addictions Resource Center
2. Franciscan Physician Alliance
3. Indiana Coalition Against Domestic Violence
4. Indiana Legal Services Organization
5. Legal Aid—District 11
6. National Coalition of 100 Black Women, Indianapolis Chapter
7. Peace Over Violence
8. Praxis Advisors

KANSAS

1. Family Life Center of Butler County
2. Harvey County DV/SA Task Force, Inc
3. Kansas Coalition Against Sexual and Domestic Violence
4. SAFEHOME, Kansas
5. SKIL Resource Center Inc.

KENTUCKY

1. Barren River Area Safe Space, Inc.
2. Bethany House Abuse Shelter, Inc.
3. Bluegrass Domestic Violence Program
4. Center for Women and Families
5. Doves of Gateway
6. Hope's Place
7. Kentucky Association of Sexual Assault Programs
8. Kentucky NOW
9. Kentucky Coalition for Immigrant and Refugee Rights
10. Kentucky Domestic Violence Association
11. MensWork: eliminating violence against women, inc
12. Safe Harbor of NE KY
13. The Center for Women and Families
14. The Mary Byron Project
15. UAW 862
16. University of Louisville PEACC Program
17. Women's Crisis Center

LOUISIANA

1. Council on Alcoholism and Drug Abuse of NW LA
2. Jeff Davis Communities Against Domestic Abuse CADA
3. LGBT Community Center of New Orleans
4. Louisiana Coalition Against Domestic Violence
5. Louisiana Foundation Against Sexual Assault
6. Louisiana NOW
7. National Council of Jewish Women, Louisiana State Policy Advocacy Chair
8. New Orleans Family Justice Center

9. New Orleans NOW
10. Project Celebration Inc.

MAINE

1. Maine Coalition to End Domestic Violence
2. Maine People's Alliance
3. NCJW, Southern Maine Section
4. New Hope For Women
5. Safe Passage
6. Spruce Run Association
7. YWCA MDI

MARYLAND

1. A Woman's Place
2. Anne Arundel County NOW
3. Baltimore Jewish Council
4. Circle of Hope
5. Clearinghouse on Women's Issues
6. Collaborative Project of Maryland
7. Downtown Bethesda Condo Assn
8. Family Crisis Center, Inc.
9. Family Crisis Services
10. First Step, Inc.
11. Global Connections
12. Johns Hopkins Technology Transfer
13. La Voz Latina
14. Maryland Commission for Women
15. Maryland National Organization for Women
16. Maryland Network Against Domestic Violence
17. Men On The Move
18. Minara Fellowship
19. Montgomery County Commission for Women
20. Nursing Students for Reproductive Health and Justice at Johns Hopkins University
21. Parent-Child Center
22. Progressive Maryland
23. Ryan Immigration Law
24. SAFE Harbor Inc.
25. Safe Journey
26. SafeCenter
27. Woman's Place
28. YWCA Greater Baltimore

MASSACHUSETTS

1. Aging and Disability Resource Consortium of the Greater North Shore (ADRCGNS)
2. Boston Area Rape Crisis Center
3. Boston University Civil Litigation Program
4. Broward Women's Emergency Fund
5. Cape Organization for Rights of the Disabled
6. Coalition for Social Justice
7. Everywoman's Center
8. Greater Boston Legal Services, Inc.
9. Independent Living Center of the North Shore & Cape Ann, Inc.
10. Jane Doe Inc., The Massachusetts Coalition Against Sexual Assault and Domestic Violence
11. Jeanne Geiger Crisis Center
12. Jewish Alliance for Law and Social Action (JALSA)
13. MataHari: Eye of the Day
14. Men's Resources International
15. Safe Havens Interfaith Partnership Against Domestic Violence
16. The Network/La Red
17. The Second Step
18. Turning Point, Inc.
19. YWCA Malden
20. YWCA Western MA

MICHIGAN

1. ACCESS Social Services
2. Cadillac Area OASIS/Family Resource Center
3. Council on American Islamic Relations (CAIR), Michigan
4. Detroit Minds and Hearts
5. Domestic And Sexual Abuse Services, MI
6. EVE (End Violent Encounters)
7. HAVEN—Live Without Fear
8. Islamic Association of Greater Detroit
9. Michigan Citizen Action
10. Michigan Coalition to End Domestic and Sexual Violence
11. Michigan Muslim Community Council, United Way for Southeastern Michigan
12. Muslim Community of Western Suburbs
13. National Coalition of 100 Black Women, Detroit Chapter
14. National Council of Jewish Women, MI State Policy Advocate Chair
15. SASHA Center
16. Shelters, Inc.
17. The Center for Women in Transition
18. The Underground Railroad, Inc.
19. U of M-Dearborn Student Philanthropy Council
20. Wayne County Chapter, National Organization for Women
21. Wayne State University
22. Women's Aid Service, Inc.
23. Women's Resource Center for the Grand Traverse Area
24. YWCA Greater Flint
25. YWCA Kalamazoo
26. YWCA West Central Michigan

MINNESOTA

1. Anna Marie's Alliance
2. Battered Women's Legal Advocacy Project
3. Bridges to Safety
4. Center for Policy Planning and Performance
5. Central MN Sexual Assault Center
6. Committee Against Domestic Abuse, Inc.
7. Cornerstone Advocacy Service MN
8. Day One of Cornerstone
9. Domestic Abuse Project
10. First Nations Coalition, Moorhead
11. Hands of Hope Resource Center
12. HOPE Center
13. Immigrant Law Center of Minnesota
14. Jewish Community Action
15. Mending the Sacred Hoop
16. Minnesota Coalition Against Sexual Assault
17. Minnesota Coalition for Battered Women
18. Minnesota Indian Women's Resource Center
19. Minnesota NOW
20. New Hope for Women
21. OutFront Minnesota
22. Pathways of West Central MN, Inc.
23. Pearl Crisis Center
24. Program for Aid to Victims of Sexual Assault
25. Range Women Advocates of Minnesota
26. Safe Haven
27. SARA-Goodhue SMART
28. SCSU Women's Center
29. Sexual Assault Program of Beltrami, Cass & Hubbard Counties
30. The People's Press Project
31. Volunteer Lawyers Network
32. WINDOW Victim Services
33. Women's Business Development Center

MISSISSIPPI

1. Jackson Engineering Womens League (JEWL)
2. Jackson NOW
3. Mississippi Coalition Against Domestic Violence
4. Mississippi NOW
5. Mississippi Women Are Representing (WAR)
6. Missouri Coalition Against Domestic and Sexual Violence
7. MS Coalition Against Sexual Assault
8. National Coalition of 100 Black Women, Northeast Mississippi Chapter
9. Rape Crisis Center, Catholic Charities, Inc.

MISSOURI

1. Buchanan County Prosecutor's Office
2. Kansas City Anti-Violence Project
3. Metropolitan Organization to Counter Sexual Assault (MOCSA)
4. Missouri NOW
5. Missouri Progressive Vote Coalition
6. Missouri Women's Network
7. National Council of Jewish Women—St. Louis Section
8. National Council of Jewish Women, Missouri State Policy Advocacy Chair
9. YWCA St. Joseph (MO)

MONTANA

1. Domestic and Sexual Violence Services (DSVS) of Carbon County Montana
2. DSVS Red Lodge, MT
3. Ft. Belknap Domestic Violence Program
4. HAVEN
5. Missoula County Crime Victim Advocate Program
6. Missoula County Department of Grants and Community Programs
7. Montana Coalition Against Domestic and Sexual Violence
8. Montana National Organization for Women
9. Montana Native Women's Coalition
10. Montana State Coalition Against Domestic and Sexual Violence
11. NARAL Pro-Choice Montana
12. Red Lodge DSVS
13. Three Rivers Defense
14. Violence Free Crisis Line/Abbie Shelter
15. YWCA Missoula

NEBRASKA

1. Family Violence Council
2. National Organization for Women—Nebraska
3. Nebraska Domestic Violence Sexual Assault Coalition
4. Winnebago Domestic Violence Program
5. Winnebago Tribe of Nebraska Domestic Violence Intervention Family Preservation Program

NEVADA

1. Clark County District Attorney Victim Witness Assistance Center
2. Nevada Network Against Domestic Violence
3. S.A.F.E. House, NV
4. Safe Nest
5. Sexual Assault Response Advocates, Inc.
6. Volunteer Attorneys for Rural Nevadans

NEW HAMPSHIRE

1. Bridges: Domestic & Sexual Violence Support
2. Crisis Center of Central New Hampshire
3. New Beginnings Without Violence and Abuse
4. New Hampshire Citizens Alliance for Action
5. New Hampshire Coalition Against Domestic and Sexual Violence
6. Sexual Assault Support Services
7. Starting Point: Services for Victims of Domestic & Sexual Violence
8. Support Center at Burch House
9. Voices Against Violence

NEW JERSEY

1. Center for Family Services SERV
2. Cherry Hill Women's Center
3. Coalition Against Rape and Abuse, Inc.
4. CWA 1032
5. Greater NJ CLUW
6. IFPTE Local 194, AFL-CIO
7. Manavi
8. Morris County Sexual Assault Center
9. National Council of Jewish Women Concordia Section NJ
10. National Council of Jewish Women, Jersey Hills Section
11. National Council of Jewish Women, New Jersey State Policy Advocacy Network
12. Nat'l Council of Jewish Women, Central Jersey Section
13. New Jersey Citizen Action
14. New Jersey Coalition Against Sexual Assault
15. New Jersey Tenants Organization

16. NJ Coalition for Battered Women
17. NJ State Industrial Union Council
18. Partners for Women and Justice
19. Safe in Hunterdon
20. South Jersey NOW—Alice Paul Chapter
21. St. Francis Counseling Service
22. UFCW, Local 888
23. Unchained At Last
24. Womanspace, Inc.
25. Women of Color and Allies Essex County NOW Chapter
26. Youth Development Clinic
27. YWCA Bergen County
28. YWCA Central New Jersey
29. YWCA Eastern Union County
30. YWCA Princeton
31. YWCA Trenton

NEW MEXICO

1. Arise Sexual Assault Services
2. Center for Nonviolent Communication
3. Center of Protective Environment, Inc. (COPE)
4. Coalition to Stop Violence Against Native Women, Albuquerque
5. Community Against Violence, Inc.
6. Enlace Comunitario
7. Gila Regional Medical Center SANE
8. New Mexico Asian Family Center
9. New Mexico Coalition Against Domestic Violence
10. New Mexico Coalition of Sexual Assault Programs, Inc.
11. New Mexico NOW
12. New Mexico Voices for Children
13. New Mexico Women's Agenda
14. SANE of Otero & Lincoln County
15. Sexual Assault Services of NW New Mexico
16. Silver Regional Sexual Assault Support Services
17. Solace Crisis Treatment Center
18. Southern New Mexico Human Development, INC
19. Southwest Counseling Center
20. Taos SANE at Holy Cross Hospital
21. Tewa Women United, Santa Cruz
22. Valencia Counseling Service Inc.

NEW YORK

1. African Services Committee
2. Albany Law School
3. Arab American Association of New York
4. BIBLE FELLOWSHIP PENTECOSTAL ASSEMBLY OF NY INC.
5. Catholic Charities of Chenango County
6. Citizen Action of New York
7. Committee on the Status of Women
8. COPO (COUNCIL OF PEOPLE ORGANIZATION)
9. Crime Victim and Sexual Violence Center
10. Crime Victim Center of Erie County
11. CWA 1032
12. Domestic Harmony
13. Fordham Prep School
14. Hispanic United of Buffalo
15. In Our Own Voices
16. Legal Aid Society of Rochester, Inc.
17. Liberty House of Albany, Inc.
18. Local 301
19. Los Ninos Services INC
20. National Coalition of 100 Black Women, Long Island Chapter
21. National Council of Jewish Women, Greater Rochester Section
22. Nassau County Coalition Against Domestic Violence
23. National Council of Jewish Women NY
24. National Council of Jewish Women, Westbury
25. National Organization for Women—New York City
26. National Organization for Women New York State Young Feminist Task Force
27. National Organization for Women, Greater Rochester Chapter
28. National Organization for Women, NYC
29. New York Board of Rabbis
30. New York City Anti-Violence Project
31. New York State Coalition Against Domestic Violence
32. New York State Coalition Against Sexual Assault
33. Safe Homes of Orange County
34. SAFER—Survivors Advocating For Effective Reform
35. Sanctuary for Families
36. SEPA Mujer
37. Sojourner House
38. The Family Center
39. Turning Point for Women and Families
40. Unity House of Troy
41. Vera House, Inc.
42. VIBS Family Violence and Rape Crisis Center
43. Victim Resource Center of the Finger Lakes, Inc.
44. Victims Information Bureau of Suffolk
45. Violence Intervention Program
46. Women In Need
47. Wyckoff Heights Medical Center—Violence Intervention and Treatment Program
48. YWCA Adirondack Foothills
49. YWCA Binghamton & Broome County
50. YWCA Brooklyn
51. YWCA City of New York
52. YWCA Cortland
53. YWCA Elmira & The Twin Tiers
54. YWCA Genesee County
55. YWCA Jamestown
56. YWCA Mohawk Valley
57. YWCA New York City
58. YWCA Niagra
59. YWCA Orange County
60. YWCA Queens
61. YWCA Rochester & Monroe County
62. YWCA Schenectady
63. YWCA Syracuse & Onondaga County
64. YWCA Tonawandas
65. YWCA Troy-Cohoes
66. YWCA Ulster County
67. YWCA Western New York
68. YWCA White Plains/Westchester
69. YWCA Yonkers

NORTH CAROLINA

1. Charlotte NOW
2. Chrysalis Network
3. Crisis Council, Inc.
4. Families Living Violence Free
5. Family Crisis Council
6. Family Service of the Piedmont
7. Mitchell County SafePlace Inc
8. Muslim American Society of Charlotte
9. National Organization for Women, Fayetteville, NC
10. National Organization for Women, North Carolina Chapter
11. National Organization for Women, Raleigh Chapter
12. NC Coalition Against Sexual Assault
13. North Carolina Coalition Against Domestic Violence
14. OASIS, Inc.
15. YWCA Central Carolinas

NORTH DAKOTA

1. First Nations Women's Alliance
2. ND Council on Abused Women's Services
3. Spirit Lake Victim Assistance

OHIO

1. Abuse & Rape Crisis Shelter, Warren County
2. Abuse Prevention Council
3. Artemis Center
4. Asha-Ray of Hope
5. Belmont Community Hospital
6. Cleveland Rape Crisis Center
7. COMPASS Rape Crisis
8. Every Woman's House
9. Forbes House
10. Islamic Center of Greater Cincinnati
11. Islamic Education Council
12. Mount Carmel Crime & Trauma Assistance Program
13. Muslim Mothers Against Violence
14. National Coalition of 100 Black Women Central Ohio Chapter
15. Nirvana Now!
16. Ohio NOW
17. Ohio Alliance to End Sexual Violence
18. Ohio Domestic Violence Network
19. OhioHealth
20. Open Arms Domestic Violence and Rape Crisis Services
21. Otterbein University
22. ProgressOhio
23. Rape Crisis Center of Medina and Summit Counties
24. Salaam Cleveland
25. Sexual Abuse Prevention Awareness Treatment Healing Coalition of NWO
26. Sexual Assault Response Network of Central Ohio
27. Sinclair Community College—Domestic Violence Task Force
28. Someplace Safe
29. The Domestic Violence Shelter, Inc. Richland County, Ohio
30. The SAAFE Center (rape crisis center)
31. The Sexual Assault Response Network of Central Ohio
32. Trumbull County Democratic Women's Caucus
33. Upper Ohio Valley Sexual Assault Help Center
34. Violence Free Coalition
35. West Ohio Annual Conference Team on Domestic Violence & Human Trafficking
36. WomenSafe
37. YWCA Dayton
38. YWCA Greater Cincinnati
39. YWCA Hamilton
40. YWCA Youngstown

OKLAHOMA

1. Community Crisis Center of Northeast Oklahoma
2. Family Crisis & Counseling Center, Inc.
3. Family Shelter of Southern Oklahoma
4. Native Alliance Against Violence, Oklahoma City
5. OK Coalition Against Domestic Violence and Sexual Assault
6. Oklahoma Coalition Against Domestic Violence and Sexual Assault
7. Tulsa Immigrant Resource Network, University of Tulsa College of Law
8. Univ. of Tulsa College of Law
9. YWCA Oklahoma City
10. YWCA Tulsa

OREGON

1. Clackamas Women's Services
2. Jackson County SART
3. Mary's Place Supervised Visitation & Safe Exchange Center
4. OCADSV
5. Oregon Action
6. Portland Store Fixtures
7. Saving Grace
8. VOA Oregon—Home Free

PENNSYLVANIA

1. Alice Paul House
2. Alle-Kiski Area HOPE Center, Inc.
3. Alliance Against Domestic Abuse
4. Berks Women in Crisis
5. Bloomsburg University
6. Bucks County NOW
7. Bucks County Women's Advocacy Coalition
8. Business & Professional Women's Federation of Pennsylvania
9. CAPSEA, Inc.
10. Centre Co. Women's Resource Center
11. Clinton County Women's Center
12. Crime Victims Center of Fayet County
13. Crime Victims Council of the Lehigh Valley, Inc.
14. Domestic Violence Center of Chester County
15. Franklin/Fulton Women In Need
16. HIAS Pennsylvania
17. International Association of Counselors & Therapists

18. Just Harvest
19. Keystone Progress
20. Laurel-House
21. Libertae, Inc.
22. Ni-Ta-Nee NOW
23. Northeast Williamsport NOW
24. Pa Democratic State Committee, Elected Member
25. PA Immigrant & Refugee Women's Network (PAIRWN)
26. PathWays PA
27. PCADV
28. Penn Action
29. Pennsylvania Coalition Against Domestic Violence
30. Pennsylvania Coalition Against Rape
31. Pennsylvania Council of Churches
32. Pennsylvania NOW
33. Philadelphia Coalition of Labor Union Women
34. Philadelphia Women's Center
35. Safehouse Crisis Center, Inc.
36. Soroptimist International of Bucks County
37. Squirrel Hill NOW
38. Survivors Inc
39. Susquehanna County Victim Services
40. The Abuse Network
41. The Women's Center, Inc. of Columbia/Montour Counties
42. Victim Services Inc.
43. Wise Options/YWCA Northcentral PA
44. Women Against Abuse
45. Women In Transition
46. Women Services Inc.
47. Women's Law Project
48. Women's Resource Center
49. Women's Services, Inc
50. WOMEN'S WAY
51. YWCA Bradford
52. YWCA Dutchess County
53. YWCA Lancaster
54. YWCA Northcentral PA/Wise Options
55. YWCA Victims' Resource Center
56. YWCA York

RHODE ISLAND

1. DVRCSC
2. National Council of Women RI
3. Ocean State Action
4. Olneyville Neighborhood Association
5. Rhode Island Coalition Against Domestic Violence
6. Rhode Island NOW
7. The Center for Sexual Pleasure and Health
8. Turning Point
9. Women's Medical Center of Rhode Island

SOUTH CAROLINA

1. Appleseed Legal Justice Center
2. Safe Harbor
3. Sexual Assault Counseling and Information Service
4. South Carolina Coalition Against Domestic Violence and Sexual Assault

SOUTH DAKOTA

1. South Dakota Coalition Ending Domestic & Sexual Violence
2. Native American Community Board, Lake Andres
3. Native Women's Society of the Great Plains, Timber Lake
4. White Buffalo Calf Woman Society, Mission
5. Wiconi Wawokiya, Inc., Fort Thompson
6. Sisseton-Wahpeton Oyate
7. Oglala Sioux Tribe Victim Services

TENNESSEE

1. Abuse Alternatives, Inc.
2. Local 365
3. Muslim Community of Knoxville
4. National Coalition of 100 Black Women, Chattanooga Chapter
5. Tennessee Citizen Action
6. Tennessee Coalition to End Domestic and Sexual Violence
7. United South and Eastern Tribes, Inc.
8. YWCA Nashville & Middle Tennessee

TEXAS

1. American Gateways
2. Artemis Justice Center
3. Casa de Esperanza
4. Casa de Proyecto Libertad
5. Catholic Charities of Dallas
6. Citizens Against Violence, Inc.
7. Concho Valley Rape Crisis Center
8. Daya Inc.
9. Fort Bend County Women's Center
10. Harris County Domestic Violence Coordinating Council
11. Hospitality House, INC.
12. Human Rights Initiative of North Texas, Inc.
13. Islamic Association of the Mid-Cities
14. Montrose Counseling Center
15. National Council of Jewish Women, Texas State Policy Advocacy Network
16. New Beginning Center
17. North Dallas Chapter of the National Organization for Women
18. Our Lady. Of the Lake University
19. Promise House, Inc.
20. Refugio del Rio Grande
21. SafePlace
22. Sam Houston State University
23. Sexual Assault Resource Center of the Brazos Valley
24. Sun City Democratic Club
25. Sun City/West Valley NOW
26. Texas Council on Family Violence
27. Texas Muslim Women's Foundation
28. The Family Place, Dallas TX
29. Travis County Attorney's Office
30. TX Association Against Sexual Assault
31. Women's Shelter of South Texas
32. YWCA Fort Worth & Tarrant County

U.S. VIRGIN ISLANDS

1. Women's Coalition of St. Croix

UTAH

1. Enriching Utah Coalition
2. Holy Cross Ministries
3. Icarus Group
4. Latin American Chamber of Commerce of Salt Lake City
5. National Council of Jewish Women Utah State Policy Advocacy Chair
6. NCJW, Utah Section
7. PERRETTA LAW OFFICE
8. Salt Lake Family Health Center
9. Utah Assistive Technology Foundation
10. Utah Coalition Against Sexual Assault
11. Utah Domestic Violence Council
12. Utah Women's Lobby
13. West Valley City Victim Services
14. YWCA Salt Lake City

VERMONT

1. Circle—VT
2. Clarina Howard Nichols Center
3. Finding Our Voices
4. RU12 Community Center
5. Vermont Center for Independent Living
6. Vermont Council on Domestic Violence
7. Vermont Legal Aid, Inc.
8. Vermont Network Against Domestic and Sexual Violence
9. Voices Against Violence/Laurie's House

VIRGINIA

1. American Postal Workers Union
2. Center For Behavioral Change, P.C.
3. Domestic Violence Action Center
4. DOVES of Big Bear Valley, Inc
5. Dream Project Inc.
6. Fredericksburg NOW
7. Healthy Mothers Healthy Babies
8. NARAL Pro-Choice Virginia
9. National Organization for Women, Alexandria, VA Chapter
10. National Organization for Women, Virginia Chapter
11. Prince George's Crime Victim's Fund
12. S.H.A.R.E., Inc.
13. Transitions
14. Trinity Episcopal Church
15. Virginia Anti-Violence Project
16. Virginia Sexual and Domestic Violence Action Alliance
17. YWCA Central Virginia
18. YWCA DVPC
19. YWCA Greater Harrisburg

WASHINGTON

1. African Communities Network
2. ALLYSHIP
3. API Chaya
4. Cambodian Women Networking Association
5. Compass Housing Alliance
6. CIELO Project
7. King County Coalition Against Domestic Violence
8. LGO Consulting
9. Local 242
10. Lummi Nation Victims of Crime Program
11. National Council of Jewish Women, Seattle Section
12. National Council of Jewish Women, Washington State Policy Advocacy Chair
13. Navos Mental Health Solutions
14. NCJW Seattle section
15. New Beginnings
16. Northwest Immigrant Rights Project
17. Seattle NOW
18. Support, Advocacy & Resource Center
19. Tacoma Women of Vision NGO
20. WA State National Organization for Women
21. Washington Coalition of Sexual Assault Programs
22. Washington Community Action Network
23. Washington State Coalition Against Domestic Violence
24. Women Spirit Coalition, Olympia
25. YWCA Bellingham
26. YWCA Clark County
27. YWCA Kitsap County
28. YWCA Pierce County
29. YWCA Seattle/King/Snohomish
30. YWCA Spokane
31. YWCA Walla Walla
32. YWCA Yakima
33. Zonta Club of Yakima Valley

WEST VIRGINIA

1. Branches Domestic Violence Shelter, Inc.
2. CHANGE Inc./The Lighthouse
3. CONTACT Huntington
4. Direct Action Welfare Group (DAWG)
5. Family Crisis Intervention Center
6. Family Refuge Center
7. Kanawha County Victim Services Center
8. Northern West Virginia Center for Independent Living
9. Rape & Domestic Violence Information Center, Inc.
10. Rape and Domestic Violence Information Center
11. Shenandoah Women's Center, Inc.
12. West Virginia Citizen Action Group
13. West Virginia Coalition Against Domestic Violence
14. West Virginia Foundation for Rape Information and Services
15. Women's Aid in Crisis
16. WV Coalition Against Domestic Violence
17. WV NOW
18. YWCA Charleston WV
19. YWCA Wheeling

WISCONSIN

1. 9to5 Milwaukee
2. American Indians Against Abuse
3. Asha Family Services, Inc.
4. Beloit Domestic Violence Center
5. Bolton Refuge House, Inc.
6. Bridge to Hope
7. Center Against Sexual & Domestic Abuse, Inc.

8. Citizen Action of Wisconsin
9. Community Immigration Law Center
10. Daystar, Inc.
11. DCY Dubuque Domestic Violence Program
12. Golden House
13. Green Haven Family Advocates
14. Harbor House Domestic Abuse Programs
15. HELP of Door County, Inc.
16. Hmong American Women's Association
17. Hope House of South Central Wisconsin
18. IndependenceFirst
19. Jewish Community Relations Council, Milwaukee Jewish Federation
20. Manitowoc County Domestic Violence Center
21. New Horizons Shelter and Outreach Centers, Inc.
22. People Against Domestic and Sexual Abuse (PADA)
23. People Against Violent Environment
24. Personal Development Center, Inc.
25. Red Cliff Band of Lake Superior Chippewa Indians
26. Red Cliff Family Violence Prevention Program
27. Safe Harbor of Sheboygan County, Inc.
28. Sojourner Family Peace Center
29. St. Agnes Hospital Domestic Violence Program
30. The Bridge to Hope
31. The Women's Center, Inc.
32. Tri-County Council on Domestic Violence and Sexual Assault, Inc.
33. Tri-County Mental Health and Counseling
34. Tri-Valley Haven
35. UNIDOS Against Domestic Violence
36. United Migrant Opportunity Services
37. Uniting Three Fires Against Domestic Violence, Saulte Ste. Marie
38. Wisconsin Coalition Against Domestic Violence
39. Wisconsin Coalition Against Sexual Assault
40. Wisconsin Coalition of Independent Living Centers
41. Wisconsin Community Fund
42. Wisconsin NOW
43. Women and Children's Horizons
44. YWCA Greater Milwaukee
45. YWCA Green Bay
46. YWCA Madison
47. YWCA Rock County
48. YWCA Southeast Wisconsin

WYOMING

1. Gillette Abuse Refuge Foundation
2. Wyoming Coalition Against Domestic Violence and Sexual Assault
3. Sacred Shield dv/sa program

Mrs. MCMORRIS RODGERS. Madam Speaker, I am pleased to yield 2 minutes to the chair of the Women's Policy Committee, the gentlelady from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Thank you to my colleague, who has done such a wonderful job on this issue.

I rise today in support of the House substitution to the Violence Against Women Act, and I urge my colleagues in the House to vote ''yes'' on it as well.

Every now and then here in the House, rather than speaking about issues of cutting budgets and talking about issues that many people don't think affect them directly, we have the distinct opportunity to hold everyone up and to fight for a cause for women, for men, for families, for children. This is one of those times in which we are not necessarily talking about policy but we are talking about people. This is a very, very real issue, and it has strong bipartisan support so that we may move forward on these issues and take this off the table.

However, when we're talking about the Senate version and when we're talking about the House version, in my opinion, the House version is superior to the Senate version because it holds up all people. It does not segment individuals into certain groups and subcategories. It is all-inclusive. Violence across this country is pervasive. Women across this country are in families that they are trying to protect, and they feel the necessity to reach out, and we must help them.

I know there are many in this House who believe that there is not a Federal nexus on this issue. However, let's talk about the times that we might have Internet stalking across State lines. That becomes a Federal nexus. We must protect all victims. We must protect the victims of tribal violence as well, and I believe the House version is superior to the Senate version in that area as well.

Madam Speaker, this is a very, very important issue, and I urge my colleagues to follow along and, again, to vote ''yes'' on this amendment.

Mr. CONYERS. I am pleased to yield 2 minutes to the former chair of the Subcommittee on the Constitution on the House Judiciary Committee, the gentleman from New York, JERRY NADLER.

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, this bill is about women. It is about our sisters and daughters. It is about combating violence that no human being should ever face—rape, assault, sexual assault, human trafficking.

By offering an amendment that will further delay and even endanger the passage of the bill, Republicans are not just standing up for the men who abuse immigrants or for the men who rape Native Americans; they are delaying justice and counseling and health care and protection for everyone. The Republican amendment would roll back protections for immigrants who are victims of domestic abuse by making it harder to obtain U visas. The new restrictions would deter undocumented immigrants from reporting assaults and from cooperating with police, leaving victims vulnerable.

The bipartisan Senate bill would add sexual orientation and gender identity to the eligibility for grant programs under VAWA, and it would include sexual orientation and gender identity as classes. The Republican amendment, by deleting these provisions, appears to say, if you are gay or lesbian or bisexual or transgender, it's okay to beat you up, that VAWA will not help you. This is the Republican idea of equality in the 21st century.

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Approval of the Republican amendment would delay the bill for weeks or months, or even kill the bill altogether, as it did in the last Congress. I hope that is not the true motive behind the amendment. However, the fact that Republicans in Congress have been waging a war on women from the moment they took over control of the House does make you wonder.

It is time to reject this cynical ploy and pass the Senate's bipartisan Violence Against Women Act reauthorization now without amendment. I ask my colleagues to join me in voting against the Republican amendment and for the Senate bill. We don't need a retrogressive House bill that goes back on existing protections and endangers passage of any bill. The Senate did a fine job on a bipartisan basis. We should pass its bill without delay and not engage in partisan retrogressive conduct.

FRIENDS OF VAWA COALITION CALLS ON THE HOUSE TO DEFEAT THE SUBSTITUTE TO S. 47 AND PASS THE BIPARTISAN SENATE BILL

WASHINGTON, DC—The 73 undersigned national organizations issued the following statement opposing the House Republican substitute for the bi-partisan Senate bill (S. 47), Violence Against Women Act (VAWA), which includes provisions to protect vulnerable communities, including Native American women, college students, and LGBT individuals:

The House Republican Leadership's bill puts a barrier to the protection of victims of domestic violence, dating violence, sexual assault, and stalking. Conversely, the Senate version of VAWA, which was adopted with strong bipartisan support (78–22), addresses gaps in current service programs that left Native American women, college students, LGBT individuals, and other vulnerable groups without vital protections.

Today, House Republican Leadership will offer a substitute to the bipartisan Senate version of VAWA (S. 47), eliminating these important provisions and weakening the Office of Violence Against Women. These omissions deny critical services to many victims and reinforce the perception of the Republican Party as hostile to the needs of women, college students, LGBT persons, and communities of color. The House substitute:

Limits the authority S. 47 provides to tribal authorities to prosecute non-tribal members who commit domestic violence or sexual assault crimes on tribal land. This makes it more difficult for Native American women to hold their abusers accountable. Native Americans are disproportionately affected by dating violence, sexual assault, and stalking.

Eliminates provisions of the Senate bill that would require colleges and universities to keep students safe and informed about policies on sexual assault and enhance programs that help to prevent and combat sexual violence on college campuses.

Drops the anti-discrimination provisions from S. 47, which were designed to ensure that LGBT victims receive the services they need regardless of their gender identity or sexual orientation. Studies have shown that LGBT individuals are victims of domestic and sexual violence at equal or greater levels than the rest of the population.

Even in today's polarized political climate, we should at least be able to agree that when we send our daughters and sons to college, they should be protected from stalking, date rape and sexual assault; that one-third of tribal women who have been the victims of rape or domestic abuse should have equal access to justice no matter who the perpetrator is; and, that domestic violence is still

violence regardless of gender identity or sexual orientation.

It is critical that Representatives reject the exclusionary substitute bill and support passage of the bipartisan Senate bill. If you have any questions, please contact Nancy Zirkin, Executive Vice-President, The Leadership Conference on Civil and Human Rights, at 202–263–2880 zirkin@civilrights.org or Sakira Cook, Senior Policy Associate, The Leadership Conference on Civil and Human Rights, at 202–263–2894 or cook@civilrights.org or Norma Gattsek, Director of Government Relations, Feminist Majority at ngattsekgfeministorg or 703–522–2214.

AFL–CIO, African American Ministers in Action (AAMA), Alaska Federation of Natives, American Association for Affirmative Action (AAAA), American Association of People with Disabilities (AAPD), American Association of University Women (AAUW), American Federation of Government Employees, (AFL–CIO), American Federation of Teachers, (AFL–CIO), Asian Pacific Islander Institute on Domestic Violence, Black Women's Health Imperative, Break the Cycle, Casa de Esperanza: National Latino Network for Healthy Families and Communities, Catholics for Choice, Center for Reproductive Rights, Coalition of Labor Union Women, Communications Workers of America, (AFL–CIO), Community Action Partnership, Disability Rights Education and Defense Fund (DREDF), Ecumenical Advocacy Days for Global Peace with Justice, Enterprising and Professional Women—USA.

Equal Justice Society, Federation of American Women's Clubs Overseas (FAWCO), Feminist Majority, GLMA: Health Professionals Advancing LGBT Equality, GlobalSolutions.org, Human Rights Campaign, Institute for Science and Human Values, Inc., International Community Corrections Association (ICCA), International Convocation of Unitarian Universalist Women, International Union, (UAW), Lawyers' Committee For Civil Rights Under Law, Media Equity Collaborative, Methodist Federation for Social Action, Metropolitan Community Churches, Mexican American Legal Defense and Education Fund (MALDEF), National Asian Pacific American Women's Forum, National Association of Social Workers, National Black Justice Coalition, National Coalition Against Domestic Violence, National Coalition of Anti-Violence Programs.

National Congress of American Indians, National Council of Jewish Women, National Council on Independent Living, National Gay and Lesbian Task Force Action Fund, National Immigration Law Center, National Latina Institute for Reproductive Health, National Legal Aid and Defender Association, National Organization for Women, National Partnership for Women & Families, National Women's Law Center, People For the American Way, Sargent Shriver National Center on Poverty Law, Service Women's Action Network (SWAN), South Asian Americans Leading Together (SAALT), The Leadership Conference on Civil and Human Rights, The National Coalition of 100 Black Women, Inc., The National Conference of Puerto Rican Women, Inc.

The Religious Institute, The United Methodist Church, (General Board of Church & Society), Ultra Violet, Unitarian Universalist Association, United Methodist Women, US Human Rights Network, US National Committee for UN Women, V-Day, WestCare Foundation, Wider Opportunities for Women, Women Enabled, Inc., Women's Action for New Directions (WAND), Women's Environment and Development Organization (WEDO), Women's International League for Peace and Freedom, (U.S. Section), Women's Law Project, YWCA USA.

THE LEADERSHIP CONFERENCE,
ON CIVIL AND HUMAN RIGHTS,
Washington, DC, February 25, 2013.

VOTE NO ON HOUSE SUBSTITUTE FOR S. 47; IT FAILS TO PROTECT ALL VICTIMS OF DOMESTIC VIOLENCE

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States, we urge you to oppose the House substitute for S.47, the Violence Against Women Reauthorization Act (VAWA), because it fails to protect all victims of domestic violence. The Leadership Conference strongly believes that protecting all who suffer domestic violence, dating violence, sexual assault, or stalking is a fundamental civil and human right, and therefore we intend to score this vote in our Congressional Voting Record for the 113th Congress.

The Violence Against Women Act (VAWA), which was adopted in the Senate with strong bipartisan support (78–22), addresses gaps in current service programs that left lesbian, gay, and transgender people, Native American women, and other underserved and vulnerable groups without vital services or protections. The need to address these gaps has been recognized by law enforcement officers, victim service providers, and health care professionals. While government reports document that the annual incidence of domestic violence has decreased by 63 percent, it is still unacceptable that in the United States 24 people become victims of rape, physical violence or stalking by an intimate partner in the United States every minute.

Yet the House substitute for S.47 eliminates important provisions in the bipartisan Senate bill, thereby denying services to many victims of domestic violence. Despite the well-documented unacceptably high rates of domestic violence on tribal lands, the House substitute does not include adequate provisions to make it easier for Native American women to obtain orders of protection from abusers. In addition, the House substitute drops the anti-discrimination provisions that would ensure access to services for LGBT survivors of domestic violence, sexual assault, stalking, and dating violence. Finally, the House bill eliminates specific protections for victims of violence on college campuses, where we know high incidences of dating violence, sexual assault, and stalking occur.

The Leadership Conference believes that every battered person deserves protection, regardless of the victim's race, sex, sexual orientation, or gender identity. Therefore, we urge you to vote against the House substitute for S.47 and to ask House leaders to bring the bipartisan Senate-passed VAWA Reauthorization to the floor. If you have any questions, please feel free to contact Sakira Cook at 202–263–2894 or cook@civilrights.org.

Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

[From The Leadership Conference on Civil and Human Rights, Feb. 25, 2013]

CIVIL AND HUMAN RIGHTS COALITION CALLS REPUBLICAN VAWA PROPOSAL ''NOTHING LESS THAN SHAMEFUL''

(By Nancy Zirkin, Executive Vice President)

''The determination of the House Republican leadership to block an inclusive, bipartisan Violence Against Women Act in favor of a narrow partisan bill that fails to protect all victims of domestic violence is nothing less than shameful.

The Republican leadership's proposal leaves out updates to VAWA that protect college students, American Indians, LGBT people, and other underserved groups vulnerable to domestic violence and sexual assault Victims' advocates flat-out reject this proposal.

Even in today's polarized political climate, we should at least be able to agree that when we send our daughters and sons to college, they should be protected from stalking, violence, date rape, and sexual assault; that one-third of tribal women who have been the victims of rape or domestic abuse should have equal access to justice no matter where the perpetrator lives; and that domestic violence is still violence regardless of gender identity or sexual orientation. The House should stop holding victims hostage.

It's time for the House to stop playing politics with victims' lives and pass the Senate version of VAWA.

[From the New York City Anti-Violence Project, Feb. 22, 2013]

THE HOUSE OF REPRESENTATIVE'S INTRODUCTION OF THE VIOLENCE AGAINST WOMEN ACT

(By Sharon Stapel, Executive Director)

Today the House introduced a version of the Violence Against Women Act (VAWA) which stripped the language that would protect LGBT survivors of intimate partner and sexual violence and that was included in S. 47, the inclusive, bipartisan Senate bill that was overwhelmingly passed on February 12th. Leaving LGBT survivors of violence behind is an unacceptable response to the real violence that LGBT people face every day.

The CDC and the National Coalition of Anti-Violence Programs have found that LGBT people experience intimate partner and sexual violence at the same or higher rates as other communities. Yet 94% of service providers, including law enforcement, throughout the United States report that they do not have LGBT specific services available. These studies demonstrate the real need of LGBT survivors and the lack of resources available to meet that need.

The House bill does not protect LGBT people from discrimination by a service provider nor does it specifically include services to LGBT people as an underserved population. While the House bill does make VAWA gender neutral, this does not address the needs of LGBT survivors of violence who experience violence specific to their sexual orientation and gender identity and not just their gender. For example, one lesbian was asked to leave a domestic violence support group not because she was a woman but because, as the program told her, she ''did not fit in'' as a lesbian.

The Senate bill provisions are urgently needed to provide actual resources to LGBT survivors. VAWA is our nation's response to domestic and sexual violence and must include all survivors. We cannot pick and choose which victims deserve help through VAWA. Congress must pass a bill that includes all survivors of violence, including LGBT survivors, and they must do so now.

[From the National Congress of American Indians, Feb. 25, 2013]

TELL THE HOUSE OF REPRESENTATIVES THE HOUSE LEADERSHIP VAWA BILL DOES NOT MEET THE NEEDS OF INDIAN COUNTRY

On Friday, House leadership filed legislation which it intends to consider on Wednesday. Unfortunately, this legislation would change the strong bipartisan Senate-passed version of the bill, S. 47—the Violence Against Women Reauthorization Act of 2013—in key areas, which roll back current law and take a defendant-based protection

approach to address a serious epidemic of unfettered domestic abuse on Indian reservations. NCAI released a statement in opposition to the proposed House language this past Friday.

The solution is simple. We need tribal leaders and advocates to make their voices heard, and tell Congress that 'Sovereignty is the solution; not the problem' and that tribes simply need jurisdiction to protect women. Also, tell them—if a House compromise must be made, the sensible solution is H.R. 780, which was recently introduced by Congressman Darrell Issa (R–CA49) and appropriately balances defendants' rights with the urgent need to protect Native women from unfettered violence (See Sensible Solution for House Leadership section below for more on H.R. 780).

THE HOUSE LEADERSHIP BILL ROLLS BACK CURRENT LAW

The recently proposed language from the House would roll back current law regarding tribal courts' protection order jurisdiction. Currently, this is the only local and effective recourse Native women victims of violence arguably have against non-Indian perpetrators.

The 2000 VAWA Reauthorization included language which made it clear that every Indian tribe had full civil authority to issue and enforce protection orders against all individuals.

The proposed language in the House would restrict this jurisdiction significantly. Tribes would need to seek certification through the Attorney General to exercise this civil authority, and then the tribe would only retain the authority to issue protection orders over non-Indians if: they live or work on the reservation; or if they are, or have been, in an intimate relationship with a tribal member. This last requirement adds an unjust and unnecessary burden of proof to victims seeking immediate assistance from their local courts.

Also, the law—as drafted—would subject Indian tribes to federal statutes meant to apply to States, including numerous processes and procedures, which would apply on top of the tribal courts own practices and procedures (for specific examples, see discussion below). This additional layer of processes and procedures will inevitably serve to frustrate justice in tribal courts, which are already subject to a strong and proven federal framework: the Indian Civil Rights Act of 1968.

THE PROPOSED HOUSE SPECIAL DOMESTIC VIOLENCE JURISDICTION IS UNWORKABLE AND WOULD FRUSTRATE JUSTICE IN TRIBAL COURTS

Further, while the Senate bill recognizes an Indian tribe's self-governance authority to protect Native women victims of violence, it adds additional protections for non-Indian defendants. Unfortunately, while the House bill offers unworkable federal oversight of tribal courts.

The recently proposed House legislation would add:

A certification process by the Attorney General's Office for tribes to exercise this 'special domestic violence jurisdiction' over non-Indians, even though the Department of Justice already drafted the bipartisan-passed Senate version of the bill;

A 1-year sentencing limitation on tribal courts for crimes covered under the Act, even where the same crime—if prosecuted in federal court—would require harsher sentencing;

A federal removal provision that may be exercised by either the defendant or a United States Attorney, and subjects tribes to the same procedures and processes as states;

A different set of Habeus Corpus guidelines, outside of the Indian Civil Rights Act, to abide by as States;

An interlocutory appeal process, as well as a direct review of the final judgment;

A right for tribes to be sued, which will provide even more opportunities for perpetrators to abuse tribal court systems; and

A duty for the Attorney General to appoint not less than 10 qualified tribal prosecutors as special prosecutors, with a preference given to Indian tribes that are not exercising this special domestic violence jurisdiction.

Time and time again, Indian tribes have proven that they are most efficient when they operate their own governance. The current Administration has continued a strong policy towards self-determination and self-governance, and Congress should not sway from this policy now.

THE SENSIBLE SOLUTION FOR HOUSE LEADERSHIP

Two weeks ago, Congressman Darrell Issa (R–CA49) introduced H.R. 780, which is a sensible solution to the concerns expressed by House Leadership. Currently, this bill continues to receive support from House membership. This bill would take the bipartisan-passed Senate bill, which provides a full panoply of protections for defendants, and add one additional measure—the right for the defendant to remove his case to federal court, upon a showing that the tribal court violated one of these protections.

In this manner, the Indian tribe retains jurisdiction, pledges to carry out justice in a manner consistent with state courts, and avoid undue judicial delay in administering justice for Native women victims of violence.

This Issa/Cole bill is the sensible solution because it begins with the question: 'How does Congress protect Native women?' and answers it in a sensible manner; rather than the alternative question, 'How does Congress protect alleged domestic abusers that evade prosecution because they abuse Indians on the reservation?'

Please call your representatives in Congress and tell them you oppose the proposed House substitute for S. 47 and urge them to support H.R. 780 as the House compromise to the Senate bill. It is the sensible approach that recognizes tribal self-governance and protects Native women, while appropriately balancing defendants' rights.

Mrs. MCMORRIS RODGERS. Madam Speaker, I reserve my time.

Mr. CONYERS. Madam Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a senior Member of the House Judiciary Committee.

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman very much, and I thank the gentlelady, Congresswoman MOORE, for her leadership, and thank her for bringing reality to this day. For the last 18 years, we have had the cover of the Violence Against Women Act, and I was glad to be here in the reauthorization timeframe. But I am also very glad to claim that the amendment that was offered by Congresswoman MOORE and CONYERS and SLAUGHTER and myself in the Rules Committee prevailed, for we, in fact, introduced the Senate bill. But the leadership of the House, as it relates to the Democratic Members, was strong because we introduced a bill just like it.

But let me tell you what is happening with the legislation from the House side. The substitute is fuzzy legislation. It is almost as if you name your son and daughter Jane and John, but you starting calling them girl and boy. You take away the definitiveness of who they are.

Just a couple of months before, one of the coeds, a young college student, a young woman college student at the University of Virginia was murdered by her boyfriend. And so in the bill that we want to see passed, the Senate bill, we have protections for college students. We have definitive protection for Native American women, many of whom are married to non-Native Americans, and many times those cases are not prosecuted.

And so you cannot expect the U.S. Attorney to follow fuzzy legislation. You have to define that they have the jurisdiction to prosecute these cases.

With respect to immigrant women, isn't it ridiculous that you must contact the abuser and get the corroboration of the abuser. What does that say to that immigrant woman who needs to tell what is happening to her, how she is being held hostage because of her immigrant or nonimmigrant status.

I say to you that every 9 seconds a woman in the United States is assaulted or beaten by stalkers or her partner. Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners even though we've made great strides in improving it under the Violence Against Women Act. One in five women have been raped in their lifetime. Four women have been the victim of severe physical violence.

We need the Senate compromise. We need the Senate bipartisan bill. Don't vote for fuzzy legislation.

Madam Speaker, I rise in opposition to the Republican Substitute for S. 47, the so-called Violence Against Women's Reauthorization put forth by my House colleagues on the other side.

This is essentially a closed-rule on a bill that for nearly two decades has been bipartisan and non-controversial. Today, the majority stands ready to ram a stripped-down version of VAWA down the throats of the American people. Unfortunately, the bipartisan version passed by the Senate with a vote of 78–22, including all of the women in the Senate, will not even see a vote in this body.

It would have been logical, expedient, and sensible if the Majority had simply taken up the Moore-Conyers-Slaughter-Jackson Lee VAWA amendment, which is a comprehensive update to the successful law which offers protections for all victims of violence. Out amendment is the Senate-passed version which on behalf of Congressman CONYERS and many of our colleagues on the Judiciary Committee, I put forth the case to take up this Senate version.

Over the last 18 years, VAWA has provided life-saving assistance to hundreds of thousands of women, men, and children. Originally passed by Congress in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994, this landmark bipartisan legislation was enacted in response to the prevalence of domestic and sexual violence and the

significant impact that such violence has on the lives of women.

Today, as I stand on the Floor of the House, I realize that the majority has made some changes to the Senate-passed bill—-that point to a disturbing pattern since the tenor, tone, and overall thrust of this bill looks like a repeat of H.R. 4970, which we passed last year.

This Act offered a comprehensive approach to reducing this violence and marked a national commitment to reverse the legacy of laws and social norms that served to excuse, and even justify, violence against women.

Originally championed by then-Senator JOSEPH BIDEN and Judiciary Committee Representative JOHN CONYERS, Jr., the original VAWA was supported by a broad coalition of experts and advocates including law enforcement officers, prosecutors, judges, victim service providers, faith leaders, health care professionals, and survivors. The law has since been reauthorized two times—in 2000 and 2005—with strong bipartisan approval in Congress and with overwhelming support from states and local communities.

If I were an outside commentator looking in, I'd be pressed to ask what Frankenstein Monster has overtaken the 112th Congress to the point that we cannot even pass this previously bipartisan bill without resorting to partisan posturing. I ask you who would be against giving protections to our most vulnerable.

Just last month a co-ed at the venerable University of Virginia, my alma mater was convicted of murdering his girlfriend. This hits close to home. As well as Yvette Cade, who had acid poured over her face by an irate ex-husband. As well as the murder of Annie Le at Harvard University. And unfortunately, I could go on and on. These women were white, black, and Asian, living in different cities under different circumstances. They had one common denominator: victims of abject and perverse violence. Lives destroyed because of men-at-rage.

With each reauthorization, VAWA has been improved in meaningful ways to reflect a growing understanding of how best to meet the varied and changing needs of survivors.

Among other significant changes, the reauthorization of VAWA in 2000 improved the law with respect to the needs of battered immigrants, older victims, and victims with disabilities.

The continuation and improvement of these programs is critical to maintaining the significant progress made in increased reporting and decreased deaths during the time VAWA has been in effect.

Unfortunately, this version of S. 47 weakens vital improvements contained in the recently passed Senate VAWA bill, including provisions designed to increase the safety of Native American women and LGBTW victims. Further, S. 47 actually includes damaging provisions that roll back years of progress to protect the safety of immigrant victims.

Specifically, H.R. 4970 will create obstacles for immigrant victims seeking to report crimes and increase danger for immigrant victims by eliminating important confidentiality protections.

When millions of women and men need the protections and services it includes. Since it first became law in 1994, millions have benefited from VAWA.

VAWA is working, while rates of domestic violence have dropped by over 50 percent in the past 18 years. There remains a lot of work to be done, still have a lot of work ahead of us.

In December, the Centers for Disease Control and Prevention (CDC) released the first National Intimate Partner and Sexual Violence Survey (NISVS), which found:

1 in 5 women have been raped in their lifetime and 1 in 4 women have been the victim of severe physical violence by a partner;

Over 80% of women who were victimized experienced significant short-term and long-term impacts related to the violence and were more likely to experience Post-Traumatic Stress Disorder and long-term chronic diseases such as asthma and diabetes.

Every nine seconds a woman in the United States is assaulted or beaten by stalkers or her partner.

Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners, often after a long, escalating pattern of battering.

In 2009, 111 women were killed by their former or current husband, intimate partner or boyfriend in State of Texas.

Domestic violence is the leading cause of injury for women in America.

According to a study, there are more victims of domestic violence than victims of rape, mugging and automobile accidents combined. VAWA was designed to address these gruesome statistics.

VAWA established the National Domestic Violence Hotline, which receives over 22,000 calls each month. VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel each year.

This landmark legislation sent the message that violence against women is a crime and will not be tolerated.

States are taking violence against women more seriously and all states now have stalking laws, criminal sanctions for violation of civil protection orders, and reforms that make date or spousal rape as serious of a crime as stranger rape.

Moore-Conyers-Slaughter-Jackson Lee VAWA amendment to S. 47—Representative MOORE's VAWA reauthorization bill is an excellent companion to the Senate-passed version. Why are we not discussing this legislation—using it as a launching point to get where we need to go.

Destroying VAWA Confidentiality. Since 1996, VAWA has contained strong confidentiality provisions to protect victims and prevent abusers from using the immigration system against their victims. When this Committee expanded those protections to trafficking victims in 2005, Chairman SENSENBRENNER's report noted the importance of preventing abusers from ''using DHS to obtain information about their victims, including the existence of a VAWA immigration petition'' and preventing agents from ''initiat[ing] contact with abusers.'' This bill destroys confidentiality by authorizing immigration agents to contact abusers and tip them off to victims' efforts to leave. This puts domestic violence victims at risk of severe retaliation and makes it far less likely that they will seek protection in the first place.

Requiring the Consideration of Uncorroborated Abuser Statements. It is well-established that abusers will say and do almost anything to prevent a victim from seeking protection or corroborating with law enforcement. As the 2005 Committee report makes clear, abusers often ''interfer[e] with or undermin[e] their victims' immigration cases, and encourag[e] immigration enforcement officers to pursue removal actions against their victims.''

For this reason, the Committee specifically allowed DHS to consider evidence presented by abusers, but only if corroborated. The Cantor/Adams bill would now undo that protection and require agents to consider uncorroborated statements, even though abusers have every incentive to lie. This will delay or deny protection, essentially giving abusers veto authority over certain victims.

The Jackson Lee amendment will reauthorize the Debbie Smith DNA Backlog Grant Program through 2017. The program has been effective in reducing rape kit backlogs and would help law enforcement better collect and use evidence in sexual assault cases, and help all levels of the criminal justice system work together to ensure that rape kits are tested. In addition, my amendment increases the percentage of grant funds available for use in testing the backlog of rape kits from 40 percent to 70 percent.

As many of my colleagues will recall, we considered this issue in May of 2010 in response to widespread reports in the media of backlogs. This is simply unacceptable.

Consider the fact that in the time it will take for us to conduct this hearing, 60 individuals in the United States will be sexually assaulted.

The Violence Against Women reauthorization contains many of the provisions that make important changes to the current law, such as consolidating duplicative programs and streamlining others; providing greater flexibility for how communities utilize resources; and including new training requirements for people providing legal assistance to victims.

While the amendment wasn't included in the final Senate version of the VAWA reauthorization bill, or the House version which passed out of the Judiciary Committee last week, it was endorsed by the National Task Force to End Sexual and Domestic Violence which represents over 1,000 organizations across the nation.

Over the past three years, a series of embarrassing investigations into major police departments in Texas and other cities around the country revealed an appallingly large backlog of untested rape kits. Backlogs of thousands of untested kits have made headlines in Houston, San Antonio, Fort Worth and Dallas, prompting efforts in those cities to finally test the evidence.

Last year, the Texas Legislature passed a law—Senate Bill 1636, authored by Democratic Sen. Wendy Davis of Fort Worth—to mandate examination of evidence from rape cases statewide, requiring even the smallest law enforcement agencies to report how many rape kits they've left untested, then submit them to a crime lab.

These being lean times in Texas, the Legislature passed the bill without allocating new funding to the cause. It's up to crime labs and police departments to raise money to test the old evidence. ''One of the solutions offered by 1636 is that we'd get a complete picture,'' says Torie Camp, deputy director of the Texas Association Against Sexual Assault. Law enforcement agencies were required to report their rape kit backlogs to the Department of Public Safety (DPS) by mid-October of last year. That hasn't happened.

DPS records obtained by the Observer show that as of January 23—three months after the deadline—just 86 of the state's 2,647 law enforcement agencies had reported their backlogs.

As many of us know, rape kit collection and testing is important in moving cases through the criminal justice system. Approximately 200,000 incidents of rape are reportedly in the United States annually. A vast majority of these sexual assault victims consent and undertake medical examination immediately following the attack, thus enabling hospital/clinic personnel and police officers to collect evidence for a rape kit.

Studies have repeatedly shown that incidents where rape kit collections contain DNA are more likely to move forward in the criminal justice system than cases where no rape kit is collected. Testing the evidence collected in these rape kits enable officers to identify the attacker, confirm that sexual contact occurred between a suspect and a victim, corroborate the victim's account of the sexual assault, and exonerate innocent suspects.

Testing the evidence collected in the rape kits also helps prosecutors in deciding whether to pursue a case and likewise, help juries in deciding whether to convict an alleged perpetrator. While national statistics have not confirmed the exact number of untested rape kits, it is estimated that approximately 180,000 of these rape kits remain untested.

Two years ago I met with one of our witnesses at the Crime Subcommittee Hearing on Rape Kit Backlogs, Ms. Valeria Neumann, a 24 year old young woman who was the victim of rape nearly four years ago. During our meeting, Ms. Neumann informed me that although a rape kit was performed the same night that she reported the incident, the rape kit has never been tested.

According to Ms. Neumann, the prosecutor in the case has not brought an action against her alleged perpetrator after questioning him, even though crucial evidence could have been obtained had the rape kit been processed. When considered in light of the glaring statistics, Ms. Neumann's story seems all too common.

According to a Human Rights Watch research, the United States boast an estimated 400,000 to 500,000 untested rape kits which are sitting in police storage facilities and crime labs across the nation. Mister Chairman, untested rape kits represent lost justice for rape victims and a potential threat to public safety and society in general. The United States has repeatedly implemented several legislative initiatives aimed at bringing the rape kit backlog to an end.

We began with the Edward Byrne Memorial Justice Assistance Grant Program, followed by the Debbie Smith Act. We then transitioned to the Justice for Survivors of Sexual Assault Act. In spite of these measures, I believe that the United States can do a better job of providing redress for victims, bringing offenders to justice and protecting society from future and/or reoccurring crimes of rape.

Several preliminary initiatives can be implemented toward this goal of eliminating rape kit backlog. First, recognizing that rape has the lowest reporting, arrest and prosecution rates of all violent crime in the U.S., I believe that the revolution in DNA technology could move many of these rape cases forward in the criminal justice system.

I urge my colleagues to reject this flawed bill and call upon this body to work with the Senate to pass bipartisan legislation that helps women—and does not go back on decades of work.

VAWA was created because Congress recognized that immigration was being used as a weapon by abusers. S. 47 would return that weapon to abusers. H.R. 4970 would roll back years of progress and bi-partisan commitment on the part of Congress to protect vulnerable immigrant victims of domestic violence, stalking, sex crimes, other serious crimes, and trafficking. H.R. 4970 would place victims of domestic violence in danger, deter victims of crime from cooperating with law enforcement, and hold victims of abuse to a higher standard than other applicants for immigration benefits. In short, H.R. 4970 denies victims protection and even helps perpetrate the very abuse from which they are seeking to escape.

S. 47 would place immigrant victims of domestic violence who seek lawful status in the U.S. at risk. VAWA ''self-petitioning'' was created in 1994 to assist immigrant victims of domestic violence obtain status on their own when their U.S. citizen and lawful permanent resident spouses, as part of the abuse, refused to petition for them. H.R. 4970 would roll back these protections.

Section 801 permits the abuser to manipulate the victim's immigration process by allowing USCIS to seek input from the abuser as part of the VAWA self-petition process. Commonly, abusers resort to more violence when they learn that victims have sought protection from law enforcement. H.R. 4970 would put the lives of victims in even greater jeopardy.

S. 47 creates extra hurdles for victims to jump through, making lawful status even more difficult for victims to attain. Section 801 of H.R. 4970 would make it more difficult for victims of abuse to obtain lawful status by requiring VAWA applicants to establish their eligibility for lawful status by ''clear and convincing'' evidence—a higher standard than most other applicants applying for relief before USCIS.

Many domestic violence victims have been waiting for lawful status for years because their abusers refused to file spousal visa petitions for them, using control over the victims' immigration status as a tool of abuse. The VAWA self-petition process was created to provide victims with a means of obtaining the status for which they were eligible under the law and which they would have obtained but for the abuse. Section 801 establishes an unnecessarily high standard that will deprive many victims of protection.

S. 47 would punish victims more harshly than other applicants for providing incorrect information, regardless of intent or knowledge. (Section 801) The INA already makes someone ineligible for relief if they commit fraud or willfully misrepresent a material fact when seeking an immigrant benefit. However, under the guise of fraud prevention, H.R. 4970 would go much further by requiring the removal, on an expedited basis, of a victim where there is any evidence of any material misrepresentation at any point during the process, regardless of whether the victim had any intent to defraud the government. H.R. 4970 would also permanently bar the immigrant from any future immigrant status, without any possibility of a waiver. Finally, H.R. 4970 would require that these applicants be referred to the FBI for criminal prosecution. Thus, an innocent mistake by a victim when completing the application could result in victims and their children being subject to expedited removal and permanently barred from the U.S.

S. 47 would unduly restrict U-visas and undermine the safety of our communities. (Section 802) Currently, to obtain a U-visa (for victims of serious crime), a federal, state, or local law enforcement officer must certify that the applicant has, is, or is likely to be helpful in investigation or prosecuting the crime perpetrated against them. H.R. 4970 would restrict law enforcement agency certification only to victims who reported the crime within 60 days. Many victims of crimes—especially victims of sexual abuse, child abuse, and rape—are too traumatized or too afraid to come forward immediately. A 60-day time limit for reporting crimes would silence many immigrant victims. H.R. 4970 would deprive victims of protection, discourage them from reporting crimes, and make all of us less safe.

S. 47 would deny victims the opportunity to apply for a green card. In 2000, the ''U'' Visa was created as part of VAWA to encourage vulnerable victims of particularly serious crimes to come forward and report those crimes by removing the fear that they, rather than the perpetrator, would wind up in immigration detention or deported. When victims of crimes are afraid to go to the police, we are all less safe. H.R. 4970 would undermine the U-visa process by making the U-visa only temporary, with no eligibility to apply for future lawful permanent residence status.

The S. 47 Republican substitute retains a few of the helpful provisions included in S. 1925. These include:

Permitting children of VAWA self-petitioners to obtain derivative status if the petitioner passes away during the application process;

Eliminating the public charge ground of inadmissibility for VAWA self-petitioners and U-visa holders.

Age-out protections for children of U-visa holders who were under 21 at the time that the parent applied for U-visa status and age-out protections for U-visa holders who were minors at the time of application for U-visa status so that their relatives can still join them.

I call on the Members of the House to vote down this nefarious, ill-conceived piece of legislation.

Re: Opposition to House Substitute to VAWA Reauthorization

FEBRUARY 25, 2013.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary House of Representatives, Washington, DC.
Hon. JOHN CONYERS,
Ranking Member, House Committee on the Judiciary, House of Representatives, Washington, DC.

Re: Opposition to House Substitute to VAWA Reauthorization

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: I write on behalf of the ——— Tribe to voice our strong opposition to the House of Representatives proposed Amendment in the Nature of a Substitute to the Senate-passed S. 47, the Violence Against Women Reauthorization Act (VAWA). The House VAWA Substitute would only serve to aggravate the onslaught of violence that Native women suffer on a daily basis. The House Substitute would remove the ONLY tool available to tribes to stop non-Native

abuse, further complicate the maze of injustice that exists on Indian lands, and exacerbate the epidemic of violence against Native women.

The current justice system in place on Indian lands handcuffs the local tribal justice system. As a result, some non-Native men, target Indian reservations for their crimes, and hide behind these loopholes in federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

The result: nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 would crack down on reservation domestic violence at the early stages before violence escalates.

The problem of violence against Native women is longstanding and broad, extending beyond domestic violence to gang violence and infiltration of drug trafficking organizations. However, the proposals included in S. 47 are well-reasoned and limited in scope. They extend only to reservation-based crimes of domestic and dating violence that involve individuals who work or live on an Indian reservation or who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

The House VAWA Substitute rejects the bipartisan and narrowly tailored approach adopted by the Senate. The most offensive provision in the House Substitute would remove the ONLY tool currently available to tribal governments: the ability to issue and enforce civil orders of protection against non-Native men who abuse Indian women. The House Substitute irresponsibly cuts back on this existing authority.

Instead of focusing on the protection of Native women, the House Substitute focuses on protections for suspects of abuse. The House Substitute establishes seven (7) avenues of appeal for suspects of abuse to challenge their prosecution; limits punishment of non-Indian offenders convicted of domestic violence to misdemeanor level punishment, regardless of how savage the beating or their status as a repeat offender; and authorizes suspects of abuse to bring lawsuits against tribal law enforcement—which will only serve to further deter protection of Native women.

The gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. The bipartisan Senate-passed VAWA bill, takes reasonable well-tailored measures to fill the gap in local authority. Conversely, the House Substitute would cut back on existing protections and aggravate the epidemic of violence that Native women face on a daily basis. We urge you to oppose the House VAWA Substitute and restore the Senate-passed provisions in Title IX of the House VAWA Reauthorization.

Sincerely,

SUSANVILLE INDIAN RANCHERIA,
Susanville, CA, February 25, 2013.

Re: Opposition to House Substitute to VAWA Reauthorization.

Hon. BOB GOODLATTE, Chairman,
House Committee on the Judiciary, House of Representatives, Washington, DC.
Hon. JOHN CONYERS, Ranking Member,
House Committee on the Judiciary, House of Representatives, Washington, DC.

Re: Opposition to House Substitute to VAWA Reauthorization

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: I write on behalf of the Susanville Indian Rancheria to voice our strong opposition to the House of Representatives proposed Amendment in the Nature of a Substitute to the Senate-passed S. 47, the Violence Against Women Reauthorization Act (VAWA). The House VAWA Substitute would only serve to aggravate the onslaught of violence that Native women suffer on a daily basis. The House Substitute would remove the ONLY tool available to tribes to stop non-Native abuse, further complicate the maze of injustice that exists on Indian lands, and exacerbate the epidemic of violence against Native women.

The current justice system in place on Indian lands handcuffs the local tribal justice system. As a result, some non-Native men, target Indian reservations for their crimes, and hide behind these loopholes in federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

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The gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. The bipartisan Senate-passed VAWA bill, takes reasonable well-tailored measures to fill the gap in local authority. Conversely, the House Substitute would cut back on existing protections and aggravate the epidemic of violence that Native women face on a daily basis. We urge you to oppose the House VAWA Substitute and restore the Senate-passed provisions in Title IX of the House VAWA Reauthorization.

Sincerely,

MR. STACY DIXON,
Tribal Chairman.

HUMAN RIGHTS CAMPAIGN,
Washington, DC, February 27, 2013.

DEAR REPRESENTATIVE: Today and tomorrow, the House is scheduled to consider the Violence Against Women Act (VAWA) reauthorization bill (S. 47). The Human Rights Campaign (HRC) urges Members to vote YES on the Rule, vote NO on the Amendment in the Nature of a Substitute, and vote YES on final passage.

HRC strongly opposes this partisan substitute amendment which is fundamentally flawed and ignores key priorities identified by service providers and victim advocates. This will be a key vote.

Over more than two years, more than 2,000 advocates responded to surveys and national conference calls to identify the most pressing issues facing victims of domestic violence. Local programs, state and federal grant administrators, national resource centers and others weighed in on the needs of victims. As a result of this deep dive into the existing gaps in the current VAWA, it became clear that LGBT victims of domestic violence were not receiving the services they needed—even though they experience domestic violence at roughly the same rate as all other victims. LGBT victims faced discrimination based on their sexual orientation and gender identity when they sought refuge from abuse. They were turned away from service providers, laughed at by law enforcement and struggled to get protective orders from judges. Often they were left without any option but to return to their abuser.

Earlier this month, in a strong bi-partisan vote of 78–22, the Senate stood above politics and passed a VAWA bill that takes into account the lessons learned from VAWA stakeholders. The Senate bill includes three important provisions that ensure services for LGBT victims of domestic violence are explicitly included in key VAWA grant programs and prohibit any program or activity funded by the bill from discriminating against a victim based on their actual or perceived sexual orientation or gender identity. The House substitute VAWA eliminates these provisions, as well as many other critical provisions in the Senate bill.

The House should reject the partisan substitute amendment and pass a bipartisan VAWA reauthorization bill that reflects the priorities from law enforcement, court, prosecution, legal services, and victim services professionals from across the country.

If you have any questions or need more information, please don't hesitate to contact

me at 202–216–1515 or Allison.Herwitt @hrc.org, David Stacy, Deputy Legislative Director, at 202–572–8959 or David.Stacy@hrc.org, or Ty Cobb, Senior Legislative Counsel, at 202–216–1537 or Ty.Cobb@hrc.org.

Best,

ALLISON HERWITT,
Legislative Director,
Human Rights Campaign.

AMERICAN PROBATION AND PAROLE ASSOCIATION,
Lexington, KY, February 1, 2013.

Senator PATRICK LEAHY,
Chairman, Committee on the Judiciary,
Dirksen Senate Office Building,
Washington, DC.
Senator MIKE CRAPO,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: The American Probation and Parole Association (APPA) represents over 35,000 pretrial, probation, parole and community corrections professionals working in the criminal and juvenile justice systems nationally and come from federal, state, local and tribal jurisdictions. On behalf of our membership and constituents we whole-heartedly support your efforts to have the Violence Against Women Act (VAWA) reauthorized.

The VAWA initiatives have supported state, local and tribal efforts to effectively address the crimes of domestic violence, dating violence, sexual assault and stalking. These efforts have shown great progress and promise towards keeping victims safe and holding perpetrators accountable. The reauthorization of VAWA is critical to maintaining the progress of current initiatives and ensuring comprehensive and effective responses to these crimes in the future for the protection of all victims without consideration of race, ethnicity or sexual orientation.

Domestic violence perpetrators represent a significant proportion of the total population on community supervision. In 2008 there were nearly 86,000 adults on probation for a domestic violence offense in United States, and data from the California Department of Justice indicates that in 2000 approximately 90% of adults convicted of felony domestic violence offenses in that state were sentenced to a period of probation, either alone or coupled with incarceration. Domestic violence offenders are among the most dangerous offenders on community supervision caseloads, and in order to supervise domestic violence offenders effectively, community corrections professionals must receive adequate training.

Since its original passage in 1994, VAWA has been instrumental in increasing our constituents' attention to and understanding of these crimes as well as provided significant assistance in humanizing their responsiveness to victims and improving their practices related to accountability and intervention with perpetrators of these crimes. VAWA has without question been instrumental in developing community supervision practices that keep victims and their families safe from future harm and improved compliance and behavioral change for perpetrators.

We stand ready to assist you throughout the reauthorization process. If you have any questions or require further information or assistance, please feel free to contact me at cwicklund@csg.org or 859–244–8216.

Sincerely,

CARL WICKLUND,
Executive Director,

LUTHERAN IMMIGRATION AND REFUGEE SERVICE,
Baltimore, MD, February 1, 2013.

Hon. PATRICK J. LEAHY,
U.S. Senate, Russell Senate Office Building, Washington, DC.
Hon. MIKE CRAPO,
U.S. Senate, Dirksen Senate Building, Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: On behalf of Lutheran Immigration and Refugee Service (LIRS), the national organization established by Lutheran churches in the United States to welcome immigrants and refugees, thank you for reintroducing the bipartisan Violence Against Women Reauthorization Act (VAWA) (S. 47).

As you are aware, there are many cases in which immigration status is used as a tool for abuse, leading victims to remain in abusive relationships and contributing to the underreporting of serious crimes to local enforcement officials. The creation of the U visa in 2000 by Congress to encourage migrant victims to report criminal offenses to officials has been extremely helpful in advancing community safety. The need for U visas is significant. In 2012, U.S. Citizenship and Immigration Services ran out of available U visas over a month prior to the end of the fiscal year. Therefore, the lack of a vital increase in the number of available U visas in S. 47 is extremely disappointing. However, I am encouraged by your commitment to increase the cap on U visas as part of immigration reform legislation.

While I applaud efforts to swiftly move VAWA through both chambers of Congress, I caution against any use of VAWA as a means to expand immigration enforcement provisions of the Immigration and Nationality Act. These changes would be detrimental to the central purpose of VAWA—to address the critical issues of domestic violence, sexual assault, dating violence, and human trafficking—and should remain outside of the VAWA debate.

LIRS commends your leadership in advancing this bill and we are excited to continue to work with you to ensure the inclusion of provisions to protect vulnerable migrant victims in upcoming legislation. Please contact Brittney Nystrom, LIRS Director for Advocacy, at 202–626–7943 or via email at bnystrom@lirs.org with any questions.

Yours in faith,

LINDA J. HARTKE,
President and CEO, Lutheran Immigration and Refugee Service.

AMERICAN BAR ASSOCIATION,
Chicago, IL, January 30, 2013.

Hon. PATRICK J. LEAHY,
Russell Senate Office Building, U.S. Senate, Washington, DC.
Hon. MICHAEL D. CRAPO,
Dirksen Senate Office Building, U.S. Senate, Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the American Bar Association (ABA), with nearly 400,000 members across the country, I write to commend your continued bipartisan leadership in the cause of justice and equal rights with the introduction of the Violence Against Women Reauthorization Act of 2013. The ABA strongly supports your effort to renew proven and effective programs that support victims of domestic, sexual, stalking and dating violence and their families.

The ABA has long supported efforts to address domestic, sexual and stalking violence, and we recognize that the legal profession fulfills an important role in addressing these crimes. Since 1994, the ABA's Commission on Domestic & Sexual Violence has also worked to increase access to justice for victims of domestic violence, sexual assault and stalking by mobilizing the legal profession.

In recent years, the ABA has adopted policies that specifically address VAWA reauthorization, including some of the more challenging issues that ultimately proved to be barriers to reauthorization during the last Congress:

February 2010: urging reauthorization and highlighting the need for legislation that ''provides services, protection, and justice for underserved and vulnerable victims of violence, including children and youth who are victims or are witnesses to family violence, and victims who are disabled, elderly, immigrant, trafficked, LGBT and/or Indian.''

August 2012: urging Congress ''to strengthen tribal jurisdiction to address crimes of gender-based violence on tribal lands that are committed by non-Indian perpetrators.''

VAWA reauthorization was a legislative priority for the association during the 112th Congress and a focus of our annual grassroots lobbying event, ABA Day 2012, when ABA, state, local, and specialty bar leaders from all 50 states met with members of Congress of both parties on this issue.

VAWA reauthorization remains a priority for the American Bar Association during the 113th Congress. We appreciate your leadership and look forward to working with you to ensure passage of this legislation.

Sincerely,

LAUREL G. BELLOWS.

Mrs. MCMORRIS RODGERS. Madam Speaker, I reserve my time.

Mr. CONYERS. Madam Speaker, I include for the RECORD a number of letters from advocacy and nonprofit groups in opposition to the House substitute and in support of the Senate-passed bill.

THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 HAS BROAD NATIONAL SUPPORT

More than 1400 local, state, tribal, and national organizations have expressed their strong support for passage of the Violence Against Women Reauthorization Act of 2011 (S.47), including national service providers and victim advocates, law enforcement organizations, and faith-based organizations.

VICTIM SERVICE PROVIDERS AND ADVOCATES

9 to 5, National Association of Working Women
Alianza-National Latino Alliance to End Domestic Violence
Alternatives to Family Violence
American Bar Association
American Bar Association Commission on Domestic Violence
American Medical Association
Americans Overseas Domestic Crisis Center
Asian & Pacific Islander Institute on Domestic Violence
ASISTA Immigration Assistance
Association of Jewish Family and Children's Agencies
Break the Cycle
Casa de Esperanza: National Latino Network for Healthy Families and Communities
Daughters of Penelope
Futures Without Violence (formerly the Family Violence Prevention Fund)
Gay Men's Domestic Violence Project
Institute on Domestic Violence in the African-American Community
Jewish Women International
Legal Momentum
Men Can Stop Rape
Men's Resources International
National Association of VOCA Assistance Administrators
National-Alliance to End Sexual Violence
National Center for Victims of Crime

National Center on Domestic and Sexual Violence
National Coalition Against Domestic Violence
National Coalition of Anti-Violence Programs
National Congress of American Indians Taskforce on Violence Against Women
National Council of Jewish Women
National Dating Abuse Hotline
National Domestic Violence Hotline
National Network to End Domestic Violence
National Organization of Sisters of Color Ending Sexual Assault (SCESA)
National Organization for Women
National Organization of Asian Pacific Islanders Ending Sexual Violence
National Organization of Sisters of Color Ending Sexual Assault
National Resource Center on Domestic Violence
Nursing Network on Violence Against Women International Rape Abuse and Incest National Network
YWCA USA
Victims Rights Law Center
Witness Justice

LAW ENFORCEMENT ORGANIZATIONS

AEquitas
American Probation and Parole Association
Association of Prosecuting Attorneys
International Association of Chiefs of Police
National Council of Juvenile and Family Court Judges

FAITH-BASED ORGANIZATIONS

Association of Jewish Family & Children's Agencies
Church Women United
Disciples Justice Action Network
Disciples of Christ
FaithTrust Institute
Friends Committee on National Legislation
Hadassah, The Women's Zionist Organization of America, Inc.
Hindu American Seva Communities
Jewish Council for Public Affairs
Lutheran Immigration and Refugee Service
Mennonite Central Committee U.S. Washington Office
Muslim Public Affairs Council
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Jewish Women
NETWORK—A National Catholic Social Justice Lobby
Peaceful Families Project
Pentecostals & Charismatics for Peace & Justice
Presbyterian Church (U.S.A.) Office of Public Witness
Presbyterian Church, U.S.A.
Presbyterian Women in the Presbyterian Church (U.S.A.)
Reconstructionist Rabbinical Association
Religious Coalition for Reproductive Choice
Safe Havens Interfaith Partnership Against Domestic Violence
The Episcopal Church
The United Church of Christ, Justice and Witness Ministries
Union for Reform Judaism
United Church of Christ
United Methodist Church General Board of Church and Society
United Methodist Women
Women of Reform Judaism

OTHER NATIONAL ORGANIZATIONS

3 DVas, LLC
9to5
AARP Chapter 60 Waikiki
Abortion Care Network
AFGE Women's/Fair Practices Departments
AFL-CIO
African Action on Aids
After The Trauma
Alabama Coalition Against Domestic Violence
Alianza—National Latino Alliance for the Elimination of Domestic Violence
Alliant International University
American Arab Anti Discrimination Center
American Association of People with Disabilities
American Association of University Women (AAUW)
American Baptist Women's Ministries, ABCUSA
American Bar Association
American Civil Liberties Union
American Congress of Obstetricians and Gynecologists
American Dance Therapy Association
American Federation of Government Employees, AFL-CIO
American Federation of Labor-Congress of Industrial Organizations
American Federation of State County and Municipal Employees
American Federation of Teachers, AFL/CIO
American Humanist Association
American Postal Workers Union
American Probation and Parole Association
American Psychiatric Association
American Psychological Association
American-Arab Anti-Discrimination Committee (ADC)
Americans for Immigrant Justice, formerly Florida Immigrant Advocacy Center
Americans Overseas Domestic Violence Crisis Center
Amnesty International USA
Anti-Defamation League
Asian & Pacific Islander American Health Forum
Asian & Pacific Islander Institute on Domestic Violence
Asian American Justice Center, member of Asian American Center for Advancing Justice
Asian Pacific American Labor Alliance, AFL-CIO
Asian Pacific American Labor Center ASISTA Immigration Assistance
Association of Flight Attendants
Association of Jewish Family & Children's Agencies
Bahá'ís of the United States
Black Women's Health Imperative
Black Women's Roundtable
Break the Cycle
Business and Professional Women's Foundation
Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
Casa Esperanza
Center for Family Policy and Practice
Center for Partnership Studies
Center for Reproductive Rights
Center for Women Policy Studies
Center for Women's Global Leadership
Center for Women's Policy Studies
CenterLink
Central Conference of American Rabbis
Choice USA
Church Women United
Circle of 6 App
Clery Center for Security On Campus
Coalition of Labor Union Women
Coalition on Human Needs
Communications Workers of America (CWA)
Community Action Partnership
cultureID
CWA National Women's Committee
Daughters of Penelope
Delta Sigma Theta Sorority
Dialog on Diversity
Dialogue on Diversity
Disability Rights Education and Defense Fund
Disciples Justice Action Network
Domestic Abuse intervention Programs
Domestic Violence Legal Empowerment and Appeals Project (DV LEAP)
DVas, LLC
Elder Justice Coalition
Episcopal Church
Episcopal Women's Caucus.
Expert Panel on violence, American Academy of Nursing.
FaithTrust Institute.
Family Equality Council.
Federally Employed Women (FEW).
Feminist Agenda Network.
Feminist Majority.
Feminist Majority/Feminist Majority Foundation.
Feminist Peace Network.
Freedom from Hunger.
Friends Committee on National Legislation.
Friends of Nabeela.
Futures Without Violence.
Gay & Lesbian Medical Association.
Gay, Lesbian & Straight Education Network (GLSEN).
General Board of Church & Society, United Methodist Church.
General Federation of Women's Clubs.
George Washington University Law School.
GetEQUAL.
Girls Inc..
GLMA: Health Professionals Advancing LGBT Equality.
Globalsolutions.org.
GLSEN (Gay, Lesbian & Straight Education Network).
Hadassah, The Women's Zionist Organization of America, Inc..
HIAS (Hebrew Immigrant Aid Society).
Hindu American Seva Communities.
Hip Hop Caucus.
Human Rights Campaign.
Human Rights Watch.
Indian Law Resource Center.
Inspire Action for Social Change.
Institute for Interfaith Activism.
Institute for Science and Human Values.
Institute on Domestic Violence in the African American Community.
International Center for Research on Women.
IOFA.
Iowa Coalition Against Domestic Violence.
Jewish Council for Public Affairs.
Jewish Labor Committee.
Jewish Women International.
Junior League of Dallas, affiliated with Junior League International.
Labor Council for Latin American Advancement.
Latino Justice PRLDEF.
League of United Latin American Citizens.
Legal Momentum.
LiveYourDream.org.
Log Cabin Republicans.
Maryknoll Sisters.
Media Equity Collaborative.
Men Can Stop Rape.
Mennonite Central Committee U.S. Washington Office.
Men's Resources International.
Methodist/Catholic.
Migrant Clinicians Network.
MomsRising.
Ms. Foundation for Women.
Muslim American Society.
Muslim Public Affairs Council.
NAPAFASA.
National Advocacy Center of the Sisters of the Good Shepherd.
National Alliance to End Sexual Violence.
National Asian Pacific American Bar Association (NAPABA).
National Association for the Advancement of Colored People (NAACP).
National Association of Commissions for Women (NACW).

National Association of Hispanic Organizations.
National Association of Human Rights Workers.
National Association of Social Workers.
National Association of State Head Injury Administrators.
National Association of VOCA Assistance Administrators.
National Black Justice Coalition.
National Center for Lesbian Rights.
National Center for Transgender Equality.
National Center for Victims of Crime.
National Center on Domestic and Sexual Violence.
National Clearinghouse for the Defense of Battered Women.
National Coalition Against Domestic Violence.
National Coalition for Asian Pacific American Community Development.
National Coalition for LGBT Health.
National Coalition of 100 Black Women.
National Coalition of Anti-Violence Programs (NCAVP).
National Coalition on Black Civic Participation.
National Committee for the Prevention of Elder Abuse.
National Community Reinvestment Coalition.
National Congress of American Indians.
National Congress of American Indians.
National Council of Churches, USA.
National Council of Jewish Women.
National Council of Juvenile and Family Court Judges.
National Council of the Churches of Christ in the USA.
National Council of Women's Organizations.
National Council on Independent Living.
National Dating Abuse Helpine.
National Domestic Violence Hotline.
National Education Association.
National Employment Law Project.
National Fair Housing Alliance.
National Family Justice Center Alliance.
National Focus on Gender Education.
National Gay and Lesbian Task Force Action Fund.
National Health Law Program.
National Hispanic Council on Aging.
National Housing Law Project.
National Immigration Law Center.
National Latina Institute for Reproductive Health.
National Latina Psych Association.
National Latina/o Psychological Association.
National Law Center on Homelessness and Poverty.
National Legal Aid and Defender Association.
National Low Income Housing Coalition.
National Network to End Domestic Violence.
National Org of Asian Pacific Islanders Ending Sexual Violence.
National Organization for Women (NOW).
National Organization for Women, Miracle Mile LA chapter.
National Organization of Asian Pacific Islanders Ending Sexual Violence.
National Organization of Black Law Enforcement Executives.
National Organization of Sisters of Color Ending Sexual.
Assault National Partnership for Women & Families.
National Partnership for Women and Families.
National Research Center for Women & Families.
National Resource Center on Domestic Violence.
National Stonewall Democrats.
National Urban League.
National WIC Association.
National Women's Law Center.
National Women's Political Caucus.
National Women's Health Network.
National Women's Law Center.
National Women's Political Caucus.
NCJW Seattle section.
NCJVV Utah.
NETWORK, A National Catholic Social Justice Lobby.
NLPA.
Nursing Network on Violence against Women International.
NVC Academy.
Ohio NOW.
One Woman's Voice.
Our Bodies Ourselves.
Peaceful Families Project.
People for the American Way.
PFLAG National.
Planned Parenthood Federation of America.
Rape Crisis Services.
Rape, Abuse & Incest National Network (RAINN).
Reformed Church in America.
Refugee Women's Network.
Religious Coalition for Reproductive Choice.
Rural Women's Health Project.
Rural Womyn Zone.
Ryan Immigration Law.
Safe Nation Collaborative.
Sargent Shriver National Center on Poverty Law.
Sauti Yetu.
School and College Organization for Prevention Educators.
Seattle Chapter National Organization for Women.
Secular Woman.
Self Empowerment Strategies.
SER-Jobs for Progress National Inc..
Share Time Wisely Consulting Services.
Shore Area NOW.
Sisters of Color Ending Sexual Assault.
Sisters of Mercy Institute Justice Team.
Sojourners.
South Asian Americans Leading Together (SAALT).
Southern Poverty Law Center.
Spittin' Out the Pitts.
SuhaibWebb.com.
Survivors In Service.
Tahirih Justice Center.
Take Back The Night
The Episcopal Church
The Jewish Federations of North America
The Leadership Conference on Civil and Human Rights
The Leadership Council on Civil and Human Rights
The Line Campaign
The National Council on Independent Living
The National Resource Center Against Domestic Violence
The Sentencing Project
The United Methodist Church, General Board of Church & Society
The Voice of Midlife and Older Women
Transgender Law Center
U.S. National Committee for UN Women
UAW
Union for Reform Judaism
Union Veterans Council, AFL-CIO
Unitarian Universalist Association
United Church of Christ, Justice & Witness Ministries
United Food and Commercial Workers International Union
United States Hispanic Leadership Institute
United Steelworkers
UniteWomen.org
US National Committee for UN Women
US women Connect
USAction
V-Day
Veteran Feminists of America
Victim Rights Law Center
Vital Voices Global Partnership
We Are Woman
West Pinellas National Organization for Women
Wild Iris Family Counseling and Crisis Center
Winning Strategies
Witness Justice
Women Enabled, Inc.
Women of Color Network
Women of Reform Judaism
Women, Action & the Media
Women's Environment and Development Organization
Women's International League for Peace and Freedom, U.S. Section
Women's Action for New Directions
Women's Business Development Center
Women's Institute for Freedom of the Press
Women's International League for Peace and Freedom
Women's Media Center
Woodhull Sexual Freedom Alliance
YWCA USA

STATE AND LOCAL ORGANIZATIONS

51st State NOW
9to5 Atlanta
9to5 Atlanta Working Women
9to5 Bay Area
9to5 California
9to5 Colorado
9to5 Los Angeles
9to5 Milwaukee
A Safe Place
A Safe Place Domestic Violence Shelter
A Woman's Place
AAUW, Big Bear Valley Branch
AAUW, Honolulu women's coalition, others
Abuse & Rape Crisis Shelter, Warren County
Abuse Alternatives, Inc.
Abuse Prevention Council
ACCESS Social Services
ADRCGNS, Inc.
ADV & SAS
Advocacy Resource Center
Advocacy Resource Center
Advocate Safehouse Project
Advocates Crisis Support services
Advocates for a Violence-Free Community
Advocates for Victims of Assault
African Services Committee
African Women Human Right's Group
After The Trauma, Inc.
Aging Resources
Alabama-NOW
Alamosa County Sheriff's Office
Alamosa Victim Response Unit
Albany Law School
Alice Paul House
ALIVE Alliance of Leaders in Violence Elimination
Alle-Kiski Area HOPE Center, Inc.
Alliance Against Domestic Abuse
Alliance Against Family Violence and Sexual Assault
Alliant International University
ALLYSHIP
Alternative Strategies
Alternatives to Violence, Inc.
American Congress of Obstetricians and Gynecologists, Hawaii Section
American Gateways
American Indians Against Abuse
Angels Recovery & Spirituality
Anna Marie's Alliance
Anne Arundel County NOW
API Chaya
Apna Ghar, Inc. (''Our Home'')
Arab American Association of New York
Arab American Family Services
Archuleta County Victim Assistance Program

Arise Sexual Assault Services
Arizona Bridge to Independent Living
Arizona Coalition Against Domestic Violence
Arizona NOW
Arizona State University
Arkansas Coalition Against Domestic Violence
Arkansas Coalition Against Sexual Assault
Arkansas NOW
Artemis Center
Artemis Justice Center
Asha Family Services, Inc.
Asha-Ray of Hope
Asia Pacific Cultural Center
Asian Law Caucus
Asian Pacific American Legal Center, Member of Asian American Center for Advancing Justice
Asian/Pacific Islander Domestic Violence Resource Project
Association of Physicians of Pakistani Descent in N. America (APPNA)
Atlanta Women's Center
AVENUES, Inc
Ayuda
Baltimore Jewish Council
Barren River Area Safe Space, Inc.
Battered Women's Legal Advocacy Project
Bay Area Turning Point, Inc.
Bay Area Women's Center
Belmont Community Hospital
Beloit Domestic Violence Center
Bethany House Abuse Shelter, Inc.
Betty Gallo & Company
Between Friends—Chicago
BIBLE FELLOWSHIP PENTECOSTAL ASSEMBLY OF NY INC.
Bluegrass Domestic Violence Program
Bolton Refuge House
Bolton Refuge House, Inc.
Boston Area Rape Crisis Center
Boston University Civil Litigation Program
Branches Domestic Violence Shelter, Inc.
Breastfeeding Hawaii
Bridge to Hope
Bridgeport Public Education Fund
Bridges to Safety
Bridges: Domestic & Sexual Violence Support
Broward Women's Emergency Fund
Buchanan County Prosecutor's Office
Bucks County NOW
Bucks County Women's Advocacy Coalition
C.O.T.T.A.G.E. Life Coaching, LLC
Cadillac Area OASIS/Family Resource Center
California Coalition Against Sexual Assault
California National Organization for Women
California Partnership to End Domestic Violence
California Protective Parents Association
Cambodian Women Networking Association
Caminar Latino
Caminar Latino, Inc.
Cape Organization for Rights of the Disabled
CAPSEA, Inc.
CARECEN Los Angeles
Casa de Esperanza
Casa de Proyecto Libertad
Catalyst Domestic Violence Services
Catholic Charities Diocese of Pueblo
Catholic Charities Hawaii
Catholic Charities of Chenango County
Center Against Sexual & Domestic Abuse, Inc.
Center for A Non Violent Community
Center For Behavioral Change, P.C.
Center for Creative Justice
Center for Pan Asian Community Services, Inc
Center for Policy Planning and Performance
Center for the Pacific Asian Family
Center for Women and Families
Center for Women and Families—Bridgeport, CT
Center for Women and Families of Eastern Fairfield County Connecticut
Center of Women and Families of Eastern Fairfield County
Center on Domestic Violence
Center on Halsted
Centers Against Abuse & Sexual Assault
Central MN Sexual Assault Center
Centre Co. Women's Resource Center
CHANGE Inc./ The Lighthouse
Charlotte NOW
Cherokee Family Violence Center
Cherry Hill Women's Center
Child & Family Service—Hawaii
Children's Advocacy Center for Volusia and Flagler Counties
Children's Institute, Inc.
Choices Domestic Violence Solutions
Choose Victory Over Violence
Christ United Methodist Church, Rockford, IL
Circle—VT
Circle of Hope
Citizen Action of New York
Citizen Action of Wisconsin
Citizen Action/Illinois
Citizens Against Physical, Sexual, and Emotional Abuse, Inc.
Citizens Against Violence, Inc.
City of Chicago
City of Denver
City of Santa Fe
Clackamas Women's Services
Clarina Howard Nichols Center
Clark County District Attorney Victim Witness Assistance Center
Clearinghouse on Women's Issues
Clergy and Laity United for Economic Justice, Los Angeles
Cleveland Rape Crisis Center
Clinton County Women's Center
Collaborative Project of Maryland
Colorado Anti-Violence Program
Colorado Coalition Against Domestic Violence
Colorado Coalition Against Sexual Assault (CCASA)
Colorado Sexual Assault & Domestic Violence Center
Committee on the Status of Women
Community Action Partnership
Community Action Stops Abuse
Community Against Violence Taos, NM
Community Against Violence, Inc.
Community Alliance Against Family Abuse
Community Alliance on Prisons
Community Crisis Center of Northeast Oklahoma
Community Immigration Law Center
Community Overcoming Relationship Abuse
Compass Housing Alliance
COMPASS Rape Crisis
Connecticut Coalition Against Domestic Violence
Connecticut Sexual Assault Crisis Services
CONTACT Huntington
CONTACT Rape Crisis Center
ContactLifeline, Inc.
COPO (COUNCIL OF PEOPLE ORGANIZATION)
Cornerstone Advocacy Service MN
Council on American Islamic Relations (CAIR), Michigan
County Victim/Witness Program
Crime Victim and Sexual Violence Center
Crime Victim Center of Erie County
Crime Victims Center of Fayet County
Crime Victims Council of the Lehigh Valley, Inc.
Crisis Center & Women's Shelter
Crisis Center for South Suburbia
Crisis Center Foundation
Crisis Center of Central New Hampshire
Crisis Center, Inc.
Crisis Intervention & Advocacy Center
CT NOW
C–VISA, Coachella Valley Immigration Service and Assistance
DAP
Day One of Cornerstone
Daya Inc.
Daystar, Inc.
Daystar, Inc.
DC Coalition Against Domestic Violence.
DCY Dubuque Domestic Violence Program.
DE Coalition Against Domestic Violence.
Deaf Overcoming Violence through Empowerment.
Defying the Odds, Inc.
Delaware NOW.
Delaware Opportunities, Safe Against Violence.
Democratic Women's Club of Northeast Broward.
Des Moines NOW.
Detroit Minds and Hearts.
Dine' Council of Elders for Peace.
Direct Action Welfare Group (DAWG).
District Alliance for Safe Housing (DASH).
District Attorney Victim Witness Assistance Center.
Domestic Abuse & Sexual Assault Intervention Services.
Domestic Abuse Center.
Domestic Abuse Project.
Domestic Abuse Resistance Team [DART].
Domestic And Sexual Abuse Services, MI.
Domestic and Sexual Violence Services (DSVS) of Carbon County Montana
Domestic and Sexual Violence Services, MT.
Domestic Harmony.
Domestic Safety Resource Center.
Domestic Violence Action Center.
Domestic Violence Action Center.
Domestic Violence Action Center Honolulu.
Domestic Violence Alternatives/Sexual Assault Center, Inc.
Domestic Violence Center of Chester County.
Domestic Violence HEALING Coalition.
Domestic Violence HEALING Coalition, West Coast.
Domestic Violence Intervention Program, Iowa.
Domestic Violence Project, Inc.
Domestic Violence Solutions for Santa Barbara County.
Douglas County Task Force on Family Violence, Inc.
Dove Advocacy Services for Abused Deaf Women and Children.
Dove Advocacy Services for Abused Deaf Women and Children.
Dove Story Beads.
DOVES in Natchitoches, LA.
DOVES of Big Bear Lake, Inc.
DOVES of Big Bear Valley, Inc.
Doves of Gateway
DOVES, Lake County.
Downtown Bethesda Condo Assn.
Dream Project Inc.
DSVS Red Lodge, MT.
DSVS-Carbon County, MT.
DuPage County NOW.
DVRCSC.
Empowerment Christian Community Corp.
End DV Counseling and Consulting.
Enfamilia, Inc.
Enlace Comunitario.
Enriching Utah Coalition.
Episcopal Women's Caucus.
EVE (End Violent Encounters).
Everywoman's Center.
Faith House, Inc.
Falling Walls.
Family Crisis & Counseling Center, Inc.
Family Crisis Center.
Family Crisis Center, Inc.

Family Crisis Intervention Center.
Family Crisis Services.
Family LAW CASA.
Family Life Center of Butler County.
Family Place.
Family Refuge Center.
Family Rescue.
Family Rescue, Inc.
Family Resources.
Family Service of the Piedmont.
Family Services of Tulare County.
Family Shelter of Southern Oklahoma.
Family Shelter Service.
Family Violence Council.
Finding Our Voices.
First Step, Inc.
Florida Consumer Action Network.
Florida Council Against Sexual Violence.
Florida Equal Justice Center.
Florida National Organization for Women.
Florida NOW.
Forbes House.
Fordham Prep School
Fort Bend County Women's Center
Forward Together
Franciscan Physician Alliance
Franklin/Fulton Women In Need
Fredericksburg NOW
Freedom House
Friends for Democracy
Gateway Battered Women's Services
Gateway Family Services, Inc.
Georgia Coalition Against Domestic Violence
Georgia Mountain Women's Center, Inc.
Georgia Rural Urban Summit
Gila Regional Medical Center SANE
Gillette Abuse Refuge Foundation
Global Connections
Golden House
Good Shepherd Shelter
Greater Boston Legal Services, Inc.
Green Haven Family Advocates
Guam Coalition Against Sexual Assault & Family Violence
Guardian Angel Community Services
Gunnison County Law Enforcement Crime Victim Services
Gunnison County Sheriffs Office
Hamdard Center for Health and Human services
Hands of Hope Resource Center
Harbor House
Harbor House Domestic Abuse Programs
Harbor, Inc.
Harris County Domestic Violence Coordinating Council
Hartford GYN Center
Harvey County DV/SA Task Force, Inc.
Haven Hill, Inc.
Haven Women's Center
Haven Women's Center of Stanislaus
HAVEN, MT
HAVEN, Oakland
Hawai'i Women's Coalition
Hawaii Commission on the Status of Women
Hawaii Rehabilitation Counseling Assoc.
Hawaii State Coalition Against Domestic Violence
Hawaii State Democratic Women's Caucus
Healthy Mothers Healthy Babies
HEART Women & Girls
Hearts of Hope
HELP of Door County, Inc.
HelpLine of Delaware and Morrow County
HIAS Pennsylvania
Hispanic AIDS Awareness Program
Hispanic Federation
Hispanic United of Buffalo
Hmong American Women's Association
Hollywood Chapter of the National Organization for Women
Holy Cross Ministries
Hope House of South Central Wisconsin
HOPE of East Central Illinois
HOPE, Inc.
Hospira
Hospitality House for Women, Inc.
Hospitality House, Inc.
House of Ruth, Inc.
Human Rights Campaign
Human Rights Initiative of North Texas Inc.
Human Rights Initiative of North Texas, Inc.
Idaho Coalition Against Sexual & Domestic Violence
Idaho State Independent Living Council
IEC
Illinois Coalition Against Domestic Violence
Illinois Coalition Against Sexual Assault
Illinois National Organization for Women
Immigrant Law Center of Minnesota
Immigrant Legal Center of Boulder County
Immigration Services of Mountain View
IMPACT Safe
In Our Own Voices
IndependenceFirst
Independent Living Center of the North Shore & Cape Ann, Inc.
Indiana Coalition Against Domestic Violence
Institute for Multicultural Counseling and Education Services (IMCES)
Instituto Para La Mujer
International Association of Counselors & Therapists
International Women's House
Iowa Citizen Action Network
Islamic Association of Greater Detroit
Islamic Center of Greater Cincinnati
Jackson County SART
Jackson Engineering Women's League (JEWL)
Jackson NOW
Jacksonville Area Legal Aid, Inc.
Jafri Law Firm
Jane Doe Inc., The Massachusetts Coalition Against Sexual Assault and Domestic Violence
Jeanne Geiger Crisis Center
Jeff Davis Communities Against Domestic Abuse CADA
Jewish Alliance for Law and Social Action (JALSA)
Jewish Child and Family Services
Jewish Community Action
Jewish Community Relations Council
Jewish Community Relations Council (Tucson)
Jewish Community Relations Council, Milwaukee Jewish Federation
Jewish Family & Career Services, Atlanta, Georgia
Jewish Family Service of Los Angeles
Jewish Federation of Metropolitan Chicago
Jewish Federation of Metropolitan Chicago
Jewish Federation of the Sacramento Region
Johns Hopkins Technology Transfer
Just Harvest
Justice & Mercy Legal Aid Clinic
Justice and Mercy Legal Aid Clinic
Kanawha County Victim Services Center
Kankakee County Center Against Sexual Assault (KC-CASA)
Kansas City Anti-Violence Project
Kansas Coalition Against Sexual and Domestic Violence
Kentucky Association of Sexual Assault Programs
Kentucky Coalition for Immigrant and Refugee Rights
Kentucky Coalition for Immigrant and Refugee Rights
Kentucky Domestic Violence Association
Keystone Progress
King County Coalition Against Domestic Violence
L.A. Gay & Lesbian Center
La Casa de las Madres
La Voz Latina
Latin American Chamber of Commerce of Salt Lake City
Latina Safe House
Latinas Unidas por un Nuevo Amanecer
Latinas Unidas por un Nuevo Amanecer (LUNA, Iowa)
Law Students for Reproductive Justice
Legal Aid—District 11
Legal Aid Society of Rochester, Inc.
LGBT Community Center of New Orleans
LGO Consulting
Liberty House of Albany, Inc.
Local 242
Local 301
Local 365
Local 530
Los Niños Services
Los Niños Services INC
Louisiana Coalition Against Domestic Violence
Louisiana Foundation Against Sexual Assault
Louisiana NOW
Lutheran Social Services
M.U.J.E.R. Inc.
Maine Coalition to End Domestic Violence
Maine People's Alliance
Manatee Glens Rape Crisis Services
Manatee Glens Rape Crisis Services
Manavi
Manitowoc County Domestic Violence Center
Maijaree Mason Center
Maryland Commission for Women
Maryland National Organization for Women
Maryland Network Against Domestic Violence
Mary's Place Supervised Visitation & Safe Exchange Center
MataHari: Eye of the Day
MCADSV
MD NOW
Men on The Move
Men's Resources International
MensWork: eliminating violence against women, inc
Mercer County Family Crisis Center
Metropolitan Family Services
Metropolitan Organization to Counter Sexual Assault (MOCSA)
Mexican American Legal Defense and Educational Fund
Michigan Citizen Action
Michigan Coalition to End Domestic and Sexual Violence
Michigan Muslim Community Council, United Way for Southeastern Michigan
Mid-Iowa SART
Minara Fellowship
MiNDS—Medical Network Devoted to Service
Minnesota Coalition for Battered Women
Minnesota Indian Women's Resource Center
Miracle Mile LA NOW
Mississippi Coalition Against Domestic Violence
Mississippi NOW
Mississippi Women Are Representing (WAR)
Missoula County Crime Victim Advocate Program
Missoula County Department of Grants and Community Programs
Missoula Crime Victim Advocate Program
Missouri Coalition Against Domestic and Sexual Violence
Missouri NOW
Missouri Progressive Vote Coalition
Missouri Women's Network
Mitchell County SafePlace Inc
Moloka'i Community Service Council
Monsoon United Asian Women of Iowa
Montana Coalition Against Domestic and Sexual Violence
Montana National Organization for Women
Montana NOW
Montana State Coalition Against Domestic and Sexual Violence

Montgomery County Commission for Women
Montrose Counseling Center
MORONGO BASIN UNITY HOME
Most Holy Trinity Social Justice Committee
Mount Carmel Crime & Trauma Assistance Program
Mountain Crisis Services, Inc
Moving to End Sexual Assault (MESA)
MS Coalition Against Sexual Assault
MSW court appointed special advocates supervisors
MUJER
Mujeres Latinas en Accíon
Multi-Cultural Counseling and Services, Inc.
Muslim American Society of Charlotte
Muslim Bar Association
Muslim Community of Knoxville
Muslim Community of Western Suburbs
Muslim Mothers Against Violence
Mutual Ground, Inc.
NARAL Pro-Choice Montana
NARAL Pro-Choice Virginia
Nassau County Coalition Against Domestic Violence
National Association of School Psychologists
National Capital Area Union Retirees
National Coalition of 100 Black Women Central Ohio Chapter
National Council for Jewish Education
National Council of Jewish Women
National Council of Jewish Women—St. Louis Section
National Council of Jewish Women Concordia Section NJ
National Council of Jewish Women Illinois State Policy Advocacy Committee
National Council of Jewish Women NY
National Council of Jewish Women Utah State Policy Advocacy Chair
National Council of Jewish Women, Central Jersey Section
National Council of Jewish Women, Greater Rochester NY
National Council of Jewish Women, Greater Rochester Section
National Council of Jewish Women, Jersey Hills Section
National Council of Jewish Women, Louisiana State Policy Advocacy Chair
National Council of Jewish Women, Missouri State Policy Advocacy Chair
National Council of Jewish Women, New Jersey State Policy Advocacy Network
National Council of Jewish Women, Sacramento Section
National Council of Jewish Women, Seattle Section
National Council of Jewish Women, Texas State Policy Advocacy Network
National Council of Jewish Women, Washington State Policy Advocacy Chair
National Council of Jewish Women, Westbury
National Council of Jewish Women, MI State Policy Advocate Chair
National Council of Women RI
National Hispanic Media Coalition
National Organization for Women—AZ
National Organization for Women—Maryland NOW
National Organization for Women—Nebraska
National Organization for Women—New York City
National Organization for Women New York State Young Feminist Task Force
National Organization for Women, Alexandria, VA Chapter
National Organization For Women, Bay County Chapter
National Organization for Women, Broward Chapter
National Organization for Women, Fayetteville, NC
National Organization for Women, Greater Rochester Chapter
National Organization for Women, North Carolina Chapter
National Organization for Women, NYC
National Organization for Women, Raleigh Chapter
National Organization for Women, Virginia Chapter
National Organization for Women, Washington, DC Chapter
Navos Mental Health Solutions
NC Coalition Against Sexual Assault
NCJW, Southern Maine Section
NCJW, Utah Section
NCJW, YWCA
ND Council on Abused Women's Services
Nebraska Domestic Violence Sexual Assault Coalition
Nevada Network Against Domestic Violence
New Beginning Center
New Beginnings
New Beginnings Without Violence and Abuse
New Hampshire Citizens Alliance for Action
New Hampshire Coalition Against Domestic and Sexual Violence
New Haven Legal Assistance Association
New Hope for Women
New Hope For Women
New Horizons Shelter and Outreach Centers, Inc
New Jersey Citizen Action
New Jersey Coalition Against Sexual Assault
New Jersey Tenants Organization
New Mexico Asian Family Center
New Mexico Coalition Against Domestic Violence
New Mexico Coalition of Sexual Assault Programs, Inc.
New Mexico Voices for Children
New Mexico Women's Agenda
New Orleans Family Justice Center
New Orleans NOW
New York Board of Rabbis
New York City Anti-Violence Project
New York State Coalition Against Domestic Violence
New York State Coalition Against Sexual Assault
NEWSED C.D.C.
Nirvana Now!
Nisaa African Women's Project
Ni-Ta-Nee NOW
NJ Coalition for Battered Women
NOA's Ark, Inc./NOA
North Carolina Coalition Against Domestic Violence
North Dallas Chapter of the National Organization for Women
Northeast Williamsport NOW
Northern West Virginia Center for Independent Living
Northwest Georgia Family Crisis Center
Northwest Immigrant Rights Project
NOW Colorado
Oakland County Coordinating Council against Domestic Violence
OASIS, Inc.
Ocean State Action
Office of Samoan Affairs
Ohio Alliance to End Sexual Violence
Ohio Domestic Violence Network
OhioHealth
OK Coalition Against Domestic Violence and Sexual Assault
Oklahoma Coalition Against Domestic Violence and Sexual Assault
Olneyville Neighborhood Association
OPCC
Open Arms Domestic Violence and Rape Crisis Services
Option House, Inc.
Oregon Action
Otterbein University
Our Lady of the Lake University
OutFront Minnesota
PA Democratic State Committee, Elected Member
PA Immigrant & Refugee Women's Network (PAIRWN)
PADV Partnership Against Domestic Violence
Palm Beach County Victim Services and Rape Crisis Center
Parent-Child Center
Parents And Children Together, A Family Service Agency
Park County Sheriff's Office, Victim Services
Partners for Women and Justice
Partnership Against Domestic Violence
PASSAGES, Inc.
Pathways of West Central MN, Inc.
Path Ways PA
PCADV
Peace Over Violence
Pearl Crisis Center
Penn Action
Pennsylvania Coalition Against Domestic Violence
Pennsylvania Coalition Against Rape
Pennsylvania Council of Churches
Pennsylvania NOW
People Against Domestic and Sexual Abuse (PADA)
People Against Violent Environment
PERRETTA LAW OFFICE
Personal Development Center, Inc.
Philadelphia Coalition of Labor Union Women
Philadelphia Women's Center
Phoenix/Scottsdale NOW
Pinellas County Domestic Violence Task Force
Pittsburgh City Council Member William Peduto
Polk Co Women's Shelter
Portland Store Fixtures
Prairie Center Against Sexual Assault
Praxis Advisors
Prince George's Crime Victim's Fund
Program for Aid to Victims of Sexual Assault
Progressive Maryland
ProgressOhio
Project Celebration Inc.
Project Peer
Project: Peacemakers, Inc
Promise House, Inc.
Prosecutor's Office
Protecting Arizona's Family Coalition (PAFCO)
Pueblo Rape Crisis Services
Quinnipiac University
Rainbow Community Cares
Rainbow House Domestic Abuse Services, Inc.
Rainbow Services, Ltd.
Raksha, Inc
Range Women Advocates of Minnesota
Rape and Domestic Violence Information Center
Rape and Domestic Violence Information Center, Inc
Rape Assistance and Awareness Program
Rape Crisis Center
Rape Crisis Center, Catholic Charities, Inc.
Rape Crisis Services of The Women's Center
Rape Victim Advocates
REACH/FCC
Red Cliff Band of Lake Superior Chippewa Indians
Red Cliff Family Violence Prevention Program
Red Lodge DSVS
Refugio del Rio Grande
Renew
RESPONSE: Help for Survivors of Domestic Violence and Sexual Assault
Rhode Island Coalition Against Domestic Violence
Rhode Island NOW

Riverview Center
Rockford Sexual Assault Counseling
Rocky Mountain Immigrant Advocacy Network
Rose Forensic & Treatment Services, LLC (Denver, CO)
RSAC
RU12 Community Center
Rural Iowa Crisis Center
Ruth's Cottage
Ryan Immigration Law
S.A.F.E. House, NV
S.H.A.R.E., Inc.
SAFE
Safe Alternatives to Violent Environments (SAVE)
Safe Harbor
Safe Harbor Family Crisis Center
SAFE Harbor Inc.
Safe Harbor of NE KY
Safe Harbor of Sheboygan County, Inc.
Safe Haven
Safe Haven Ministries
Safe Haven of Greater Waterbury
Safe Havens Interfaith Partnership Against Domestic Violence
Safe Homes of Orange County
Safe House, NV
Safe in Hunterdon
Safe Journey
Safe Nest
Safe Passage
Safe Shelter
Safe Space Inc.
SafeCenter
SAFEHOME, Kansas
Safehouse Crisis Center, Inc.
SafePlace
SAFER—Survivors Advocating For Effective Reform
SAGE Metro DC
Salaam Cleveland
Salt Lake Family Health Center
Sam Houston State University
San Luis Valley Immigrant Resource Center
San Luis Valley Victim Response Unit (Alamosa)
Sanctuary for Families
SANE of Otero & Lincoln County
Sankofa Counseling Center
Santa Barbara County Board of Supervisors
Santa Fe Natl. Organization for Women
SARA-Goodhue SMART
Sarah's Inn
SASHA Center
Saving Grace
SCSU Women's Center
Seattle Human Rights Commission
Seattle NOW
Seeds of Hope
SEPA Mujer
Servicios de La Raza
Sewing Renewal Network
Sexual Abuse Prevention Awareness Treatment Healing Coalition of NWO
Sexual Assault Center of NWGA
Sexual Assault Counseling and Information Service
Sexual Assault Crisis Center of Eastern Connecticut, Inc.
Sexual Assault Network of Delaware
Sexual Assault Program of Beltrami, Cass & Hubbard Counties
Sexual Assault Resource Center of the Brazos Valley
Sexual Assault Response Advocates, Inc
Sexual Assault Response Network of Central Ohio
Sexual Assault Response Network of Central Ohio
Sexual Assault Services of NW New Mexico
Sexual Assault Support Services
Sexual Assault Victim Advocate Center
Sexual Assault/Domestic Violence Center
Shalom Bayit Program of Jewish Family & Career Services
Shasta Women's Refuge
Shelter from the Storm
Shenandoah Women's Center, Inc.
Silver Regional Sexual Assault Support Services
Sinclair Comm College
Sinclair Community College—Domestic Violence Task Force
SKIL Resource Center Inc.
SLV Regional Medical Center
Sojourn Services For Battered Women And Their Children
Sojourn Shelter & Services, Inc
Sojourner Family Peace Center
Sojourner House
Sojourner House
Solace Crisis Treatment Center
Solutions Center
Someplace Safe
South Asian Network (SAN)
South Carolina Coalition Against Domestic Violence and Sexual Assault
South Dakota Coalition Ending Domestic & Sexual Violence
South Jersey NOW—Alice Paul Chapter
South Peninsula Haven House
South Suburban Family Shelter
South Suburban Family Shelter
Southern Arizona Center Against Sexual Assault
Southern New Mexico Human Development, INC
Southwest Counseling Center
SpeakOut Georgia LBGT Anti-Violence
Squirrel Hill NOW
St Vincent's Hospital
St. Agnes Hospital Domestic Violence Program
STAND! for Families Free of Violence
Starting Point: Services for Victims of Domestic & Sexual Violence
Stonewall Democratic Club
Streamwood Police Department
Strong Hearted Native Women's Coalition, Inc
Sun City Democratic Club
Sun City/West Valley NOW
Support Center at Burch House
Support in Abusive Family Emergencies, Inc (S.A.F.E.)
Susan B. Anthony Project, Inc.
Susquehanna County Victim Services
Tacoma Women of Vision NGO
Tahirih Justice Center
Taos SANE at Holy Cross Hospital
Tennessee Citizen Action
Tennessee Coalition to End Domestic and Sexual Violence
TESSA of Colorado Springs
Tewa Women United
Texas Council on Family Violence
Texas Muslim Women's Foundation
The Break Away Group
The Bridge to Hope
The Center for Prevention of Abuse
The Center for Sexual Assault Crisis Counseling and Education
The Center for Sexual Pleasure and Health
The Center for Women and Families
The Center for Women and Families of Eastern Fairfield County
The Center for Women in Transition
The Domestic Violence Shelter, Inc. Richland County, Ohio
The Family Center
The Family Place
The Family Place, Dallas TX
The Good Shepherd Shelter
The Haven of RCS
The Hispanic Interest Coalition of Alabama (HICA)
The Latina Safehouse
The Mary Byron Project
The Network/La Red
The People's Press Project
The SAAFE Center
The Second Step
The Sex Abuse Treatment Center
The Sexual Assault Prevention Program
The Sexual Assault Response Network of Central Ohio
The Underground Railroad, Inc.
The Women's Center, Inc.
Three Rivers Defense
Transitions
Travis County Attorney's Office
Tri-County Council on Domestic Violence and Sexual Assault, Inc.
Tri-County Mental Health and Counseling
Trinity Episcopal Church
Tri-Valley Haven
Tu Casa, Inc.
Tulsa Immigrant Resource Network, University of Tulsa College of Law
Turning Point
Turning Point for Women and Families
Turning Point, Inc.
TX Association Against Sexual Assault
Unchained At Last
Underground Railroad (URR)
UNIDOS Against Domestic Violence
United Action for Idaho
United Migrant Opportunity Services
United Services, Inc.
Uniting Three Fires Against Violence
Univ. of Tulsa College of Law
University of Louisville PEACC Program
University of Miami School of Law Human Rights Clinic
UNO Immigration Ministry
UofM-Dearborn Student Philanthropy Council
Upper Ohio Valley Sexual Assault Help Center
Utah Assistive Technology Foundation
Utah Domestic Violence Council
Utah Women's Lobby
Valencia Counseling Service Inc.
Valley Crisis Center
Vera House, Inc.
Vermilion County Rape Crisis Center
Vermont Center for Independent Living
Vermont Council on Domestic Violence
Vermont Legal Aid, Inc.
Vermont Network Against Domestic and Sexual Violence
Victim Resource Center of the Finger Lakes, Inc.
Victim Services Inc.
Victim Services South Georgia Judicial Circuit
Victims Information Bureau of Suffolk
Victims Resource Center
Victim-Witness Assistance Services
Violence Free Coalition
Violence Intervention Program
Violence Intervention Project, Inc.
Violence Prevention Center of Southeastern IL
Violence Prevention Center of Southwestern Illinois
Virginia Anti-Violence Project
Virginia NOW
Virginia Sexual and Domestic Violence Action Alliance
VOA Home Free
VOA Oregon—Home Free
VOICE Sexual Assualt Services
Voices Against Violence
Voices Against Violence/Laurie's House
VOICES DV Stephenson County
Voices of Hope
Volunteer at first step Detroit
Volunteer Attorneys for Rural Nevadans
Volunteer Lawyers Network
VSF & F, LLC
WA State National Organization for Women
Washington Coalition of Sexual Assault Programs
Washington Community Action Network
Washington State Coalition Against Domestic Violence
Wayne County Chapter, National Organization for Women
Wayne State University

West Ohio Annual Conference Team on Domestic Violence & Human Trafficking
West Valley City Victim Services
West Virginia Citizen Action Group
West Virginia Coalition Against Domestic Violence
West Virginia Foundation for Rape Information and Services
Wild Iris Women's Service in Bishop, Inc.
William Kellibrew Foundation
WIN
WINDOW Victim Services
WINGS Program, Inc.
WIRC–CAA Victim Services
WIRC–CAA Victim Services
Wisconsin Coalition Against Domestic Violence
Wisconsin Coalition Against Sexual Assault
Wisconsin Coalition of Independent Living Centers
Wisconsin Community Fund
Wisconsin NOW
WOMAN, Inc
WOMAN'S PLACE
Womanspace, Inc.
Women Against Abuse
Women and Children's Horizons
Women and Families Center
Women Helping Women Lanai
Women In Need
WOMEN IN SAFE HOME, INC
Women In Transition
Women of Color and Allies Essex County NOW Chapter
Women Services Inc.
Women's Aid in Crisis
Women's Aid Service, Inc.
Women's and Children's Crisis Shelter, Inc.
Women's Business Development Center
Women's Center of Greater Danbury, Inc.
Women's Center of Jacksonville
Women's Center-High Desert, Inc.
Women's Coalition of St. Croix
Women's Crisis Center
Women's Crisis Support-Defensa de Mujeres
Women's Information Network
Women's Law Project
Women's Medical Center of Rhode Island
Women's Resource Center
Women's Resource Center for the Grand Traverse Area
Women's Resources of Monroe County, Inc.
Women's Services
Women's Services Inc
Women's Shelter of South Texas
WOMEN'S WAY
WomenSafe
WordsMatter.Episcopal Expansive Language Project
WV Coalition Against Domestic Violence
WV NOW
Wyckoff Heights Medical Center—Violence Intervention and Treatment Program
Wyoming Coalition Against Domestic Violence and Sexual Assault
Yavapai Family Advocacy Center
Your Community Connection Family Crisis Center
Youth Development Clinic
YWCA Adirondack Foothills
YWCA Alaska
YWCA Bellingham
YWCA Bergen County
YWCA Binghamton & Broome County
YWCA Bradford
YWCA Brooklyn
YWCA Central Carolinas
YWCA Central New Jersey
YWCA Central Virginia
YWCA Charleston WV
YWCA City of New York
YWCA Clark County
YWCA Cortland
YWCA Darien-Norwalk
YWCA Dayton
YWCA Dutchess County
YWCA DVPC
YWCA Eastern Union County
YWCA Elgin
YWCA Elmira & The Twin Tiers
YWCA Evanston North Shore
YWCA Fort Worth & Tarrant County
YWCA Genesee County
YWCA GLA
YWCA Glendale, CA
YWCA Greater Baltimore
YWCA Greater Cincinnati
YWCA Greater Flint
YWCA Greater Harrisburg
YWCA Greater Milwaukee
YWCA Green Bay
YWCA Greenwich
YWCA Hamilton
YWCA Hartford Region
YWCA Jamestown
YWCA Kalamazoo
YWCA Kankakee
YWCA Kauai
YWCA Kitsap County
YWCA Lancaster
YWCA Madison
YWCA McLean County
YWCA MDI
YWCA Metropolitan Chicago
YWCA Missoula
YWCA Mohawk Valley
YWCA Nashville & Middle Tennessee
YWCA National Capital Area
YWCA New Britain
YWCA New York City
YWCA Niagara
YWCA Northcentral PA/Wise Options
YWCA O'ahu
YWCA Oklahoma City
YWCA Orange County
YWCA Palm Beach County
YWCA Pierce County
YWCA Princeton
YWCA Queens
YWCA Rochester & Monroe County
YWCA Rock County
YWCA Rockford
YWCA Salt Lake City
YWCA San Diego County
YWCA Sauk Valley
YWCA Schenectady
YWCA Seattle/King/Snohomish
YWCA Southeast Wisconsin
YWCA Spokane
YWCA St. Joseph (MO)
YWCA Syracuse & Onondaga County
YWCA Tonawandas
YWCA Trenton
YWCA Troy-Cohoes
YWCA Tulsa
YWCA Ulster County
YWCA Victims' Resource Center
YWCA Walla Walla
YWCA West Central Michigan
YWCA Western MA
YWCA Western New York
YWCA Wheeling
YWCA White Plains/Westchester
YWCA Yakima
YWCA Yonkers
YWCA York
YWCA Youngstown
YWCA/SARP
Zacharias Sexual Abuse Center

TRIBAL ORGANIZATIONS

Samish Indian Nation
Alaska Federation of Natives
Sealaska Heritage Institute
Advocacy Resource Center
American Indian Task Force on DV/SA & Vulnerable Populations, Inc.
Fort Belknap Indian Community
Great Plains Tribal Chairman's Association
Hoopa Valley Tribe
Kene Me-Wu, American Indian DV/SA Program
Muscogee (Creek) Nation
Pechanga Indian Reservation
Pueblo of Tesuque
Samish Indian Nation
Sault Sainte Marie Tribe of Chippewa Indians
Sault tribe Advocacy Resource Center
Susanville Indian Rancheria
Save Wiyabi Project
Uniting Three Fires Against Violence

Mrs. MCMORRIS RODGERS. I reserve the balance of my time.

Mr. CONYERS. I yield 1½ minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Today, Madam Speaker, I rise in opposition to this hyperpartisan and inhumane House substitute version of the Violence Against Women Reauthorization Act of 2013. This version is inhumane and cynical because it removes certain classes of individuals from the protections of the act as guaranteed by the Senate version.

This inhumane House version removes all references to gender identity and sexual orientation, ignoring evidence that domestic and sexual violence also affects LGBT victims at equal or greater levels than the rest of the population.

It also limits protections for Native American women and omits some protections for immigrant women. Why would we want to exclude these populations from coverage? Vote ''no'' on the House substitute.

Mrs. MCMORRIS RODGERS. I continue to reserve.

Mr. CONYERS. Madam Speaker, I am pleased to yield the balance of my time to the gentlewoman from California (Ms. CHU), a distinguished member of the Judiciary Committee, to close the debate on our side.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1½ minutes.

Ms. CHU. I rise to oppose the House amendment. For nearly 20 years, Congress worked on a bipartisan basis to expand and improve the Violence Against Women Act. On three separate occasions, we found common purpose in protecting survivors of domestic violence. Today, we will try again.

The Senate bill protects immigrant, LGBT, and Native American victims. The amendment takes this all away.

Right now, an immigrant woman who fears deportation could be terrorized by a violent stalker. She would have no choice but to continue to live every day in fear. The Senate bill fixes this by giving this immigrant woman a legal means by which to save her life. This amendment would deny that protection.

The point of this law is to protect the vulnerable, not to cherry-pick who matters. It's time to return to bipartisanship and protect victims. It's time for the House to pass the Senate VAWA bill as is. We must oppose this amendment.

Mrs. MCMORRIS RODGERS. Madam Speaker, I yield the balance of my time to the gentleman from South Carolina

(Mr. GOWDY) to close, a distinguished member of the Judiciary Committee.

Mr. GOWDY. Liz Chesterman was an honors graduate from Hollins University in Virginia. Then she got her Ph.D. in molecular biology. Then she became a patent agent with the largest law firm in South Carolina. And she still wasn't done. At night, she would sit in the kitchen and study for the LSAT. She was going to go to law school. She wanted to be a doctor and a lawyer. But her greatest accomplishment was her character. She was smart, hardworking, a source of joy and inspiration in the lives of everyone who worked with her and knew her.

And with just a little bit of luck, Madam Speaker, Liz Chesterman could be speaking to you from the floor of the House of Representatives. With just a little bit of luck, she would be representing South Carolina in Congress. But she's not in the House of Representatives, Madam Speaker. She's in a cemetery in Fort Wayne, Indiana. Her husband couldn't stand her success, so he abused her. She tried to escape, and she almost made it. She made it to the back door, where he met her with a shovel, and he broke every single bone in her face. And then he nearly decapitated her, leaving her in a pool of blood in the kitchen where she used to study for the LSAT.

I run into her mom from time to time, Madam Speaker, in South Carolina. She comes back for a victims right service. She's just like Liz, warm and compassionate. And she always asks: What can I do to help? Imagine that, a mother who lost a daughter in such a horrific way wants to help.

And that got me wondering, well, maybe we should be asking what we can do to help because we really can help. We can provide women a safe harbor. We can provide the means to leave abusive relationships. We can provide women the counseling that they need. We can accelerate the prosecution of sexual assault cases so women don't have to wait and wonder and worry about whether or not they're going to be abused again before the case gets to trial. We can do all of that; but, I think, Madam Speaker, we can do more.

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When my daughter was little, she would ask me to look under her bed for monsters, and I did. But as our little girls grow into women, we realize the monsters are not under the bed. The monsters are in the bed and in the den and in the kitchen and on the college campuses and walking the halls of the high schools and on the computer and on the phone. And for some women, especially today, the monster is this broken political system that we have, a broken political system which manufactures reasons to oppose otherwise good bills just to deny one side a victory.

The House version protects every single American, period, but it will not get a single Democrat vote because it is our version. Welcome to our broken political system. I never ask a victim if she is a Republican or a Democrat. I never ask a police officer if he or she is a Republican or a Democrat. I never ask a counselor if she is a Republican or a Democrat. I never ask the parents of a victim if they are a Republican or a Democrat because there are some things that ought to be bigger than politics, and protecting people who cannot protect themselves ought to be one of them.

And I had hoped that the House bill would allow us, Madam Speaker, to join arms and walk on a common journey of protecting people who are innocent and cannot protect themselves. And I had hoped, Madam Speaker, that this fractured body could possibly be healed by something that ought to be nonpartisan, like protecting women against violence. And I had hoped, Madam Speaker, that just for 1 day, just 1 day, we will stop scoring political points against each other and try to score political points for other people. And I had hoped, Madam Speaker, that just for 1 day this body could speak with one clear, strong voice for all the women who are too tired and too scared and too hurt and too dead to speak for themselves. I had hoped that today would be the day.

Maybe next time, Madam Speaker, maybe next time.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of this comprehensive Violence Against Women Act reauthorization that passed the Senate by an overwhelming 78–22 bipartisan majority. Today is a victory for America's women—and for the possibility of bipartisanship on important matters before the U.S. Congress.

This reauthorization strengthens the Violence Against Women Act by protecting all victims of domestic violence, sexual assault, stalking, and human trafficking. It authorizes vital funding for law enforcement to investigate and prosecute these abuses, and it includes provisions to make college campuses safer and to reduce the current rape kit backlog.

Madam Speaker, the Senate version of the Violence Against Women Act is endorsed by over 1300 organizations nationwide and was supported by every Democrat, every woman senator, and a majority of Senate Republicans. We should enact it without any further delay.

I urge a ''yes'' vote.

Mr. LOWENTHAL. Madam Speaker, I stand here today to urge my colleagues to bring the Senate-version of the Violence Against Women Act—a bill that would provide critical services to all victims of domestic abuse—to the House floor.

We are faced with two versions of this bill—a GOP House bill that waters down protections and a Senate bill that provides equal protections.

As for the altered House version, which clearly rejects the equal protections outlined in the Senate version . . . it is unfair, unjust, and unacceptable.

The House substitute removes all references to ''gender identity'' and ''sexual orientation,'' despite clear evidence revealing that domestic and sexual violence affects LGBT victims at equal or greater levels than the rest of the population.

Rather than give tribes the authority they need to protect Indian women, the House substitute limits tribes to charging an abuser with misdemeanors punishable by no more than one year in prison, even if the abuser has committed rape, a vicious assault, or another serious violent crime.

Unlike the Senate bill, the House bill jeopardizes domestic abuse survivors by including a provision that would allow immigration judges to use unreliable evidence to deport persons who have been convicted of domestic violence charges.

I urge the rejection of the GOP House bill and the reauthorization of the Senate version of VAWA. The Senate version will make sure our LGBT brothers and sisters receive appropriate care when they are victimized; it will assure that immigrants, striving proudly toward citizenship, will not have to hide behind their abusers in fear of deportation; and, we can make sure that the three out of five American Indian women who will experience domestic violence in their lifetime can have the peace of mind to know that their abusers will not be given a way out of prosecution.

Equal protection should never be open to political gamesmanship. Equal protection is simply the right thing to do.

Mr. HASTINGS of Washington. Madam Speaker, during my service in Congress representing Central Washington, I have always voted to renew the Violence Against Women Act. As a husband, a father, and a grandfather, I strongly believe that providing protection for all women against domestic violence is a duty and a priority. Yet I am deeply dismayed by the manner in which the current reauthorization of this legislation (S. 47), which has long been a simple grant program, has been hijacked in order to pursue unrelated political agendas in very harsh politicized terms.

To be blunt, the bill is simply unconstitutional.

The Indian tribal provisions of S. 47 are the first time in the history of our country that Congress will give tribes criminal jurisdiction over non-Indians. The provisions, found in sections 904 and 905, declare that a tribe's power of self-government includes the ''inherent'' power of that tribe to exercise jurisdiction over all persons, including non-Indians.

As I've said, these provisions are unconstitutional and contradict over two centuries of law.

There are three fundamental principles underlying how Congress may deal with Indian tribes. First, the Indian Commerce Clause, supplemented by the treaty making powers in the Constitution, give Congress what the Supreme Court has said is ''plenary'' power over Indian affairs. Second, tribes are defined by the Indian status of their members. Third, when tribes were brought under the jurisdiction of the United States through actc, treaties, and Executive Orders, they have been recognized for the purpose of self-government over their internal affairs and members. Congress may recognize, or terminate, tribes.

With these principles in mind, it is clear that the Indian tribal provisions of the Senate bill are unconstitutional. The measures put a non-Indian American citizen—on American soil—under the criminal jurisdiction of a political entity to which the individual, because of his

race, may not consent. It violates the founding principle of this Republic, which is a government only at the consent of the governed.

The bill overturns all precedents set by Congress and the Supreme Court through its extension of a unique, self-governing power over internal affairs of a race of people, into a territorial government over everyone. The Supreme Court has long held that because tribes are not parties to the Constitution, the Constitution, including the Bill of Rights, do not apply to tribes.

In tribal court, an individual only has something called the Indian Civil Rights Act. This provides a set of similar—but not identical—rights as the Bill of Rights. They may be amended or repealed by mere Act of Congress. Even if the rights were meaningful, however, the Supreme Court in 1978 said these statutory rights are unenforceable in federal court.

Does S. 47 provide a defendant with the right to appeal a tribal judgment and conviction in federal court? No, it does not.

Section 904 of S. 47 openly allows discrimination against an individual based on race, sex, age, or if he's an Indian, who he's related to. Where the person's an American citizen, can be expelled from their home and may not have any right to appeal a claim in an impartial federal court.

As a result, enactment of Section 904 will be the first time that Congress has purposefully removed a U.S. citizen's constitutional rights while on American soil so that a political entity defined according to ethnic ancestry may arrest, try, and punish the citizen.

If these arguments do not sound familiar to all, it will be to those who have studied the pertinent case law and Supreme Court precedent from the 18th century to present.

Beginning in modern times with Oliphant v. Suquamish Indian Tribe, the Supreme Court held that tribes lack inherent jurisdiction over non-Indians. Congress cannot recognize and affirm an inherent—that is to say a pre-existing and continuing—power in a tribe when the Supreme Court ruled the tribe never had it.

There's Duro v. Reina, in which the High Court held that Indian tribes lack jurisdiction over non-member Indians.

In the 19th century, the Supreme Court in United States v. Kagama declared there are only two sovereigns in the geographical limits of the United States, and tribes are not one of them.

Case law, statutes, treaties, and historic dealings with Indian tribes support the sole purpose of federal Indian law and policy: to permit a racially defined group of people who were here first to continue their unique way of life according to their own customs, without interference from others.

This is an honorable and morally correct policy, one which I respect and uphold. This is why I cosponsored legislation to exempt tribes from a federal law permitting compulsory union work places on the reservation, and supported exempting tribes from the Department of the Interior's onerous hydraulic fracturing rule, a rule that could devastate the economies of historically impoverished tribes.

For further clarification, let us examine the work of the distinguished former Democrat Chairman of the Subcommittee on Indian Affairs, the late Lloyd Meeds of Washington.

Chairman Meeds wrote that tribal powers ''have over and again been labeled self-government and not sovereignty. It is one thing for the Congress to permit tribal Indians to govern themselves and not be subject to Federal constitutional limitations and general Federal supervision. It is quite another thing for Congress to permit Indian tribes to function as general governmental entities not subject to Federal constitutional limitations or general Federal supervisions.'' (Separate Dissenting Views of Congressman Lloyd Meeds, D–Washington, Vice Chairman of the American Indian Policy Review Commission, Final Report, p. 579.)

''[T]he American people have not surrendered to Indians the power of general government; Indians are given only a power of self-government. They have the power to regulate only their members and the property of their members. They have some governmental powers because and to the extent that such powers are appropriate to the Federal policy of allowing Indian peoples to control their own affairs. But there is no Federal policy of allowing Indian peoples to control the liberty and property of non-members. Tribal powers of self-government are limited by their purpose.'' (Ibid, p. 585).

Our Nation has appropriately recognized Indian tribes' right of self-government. Tribal self-government over Indians and their internal affairs is important and should be respected. Yet self-government does not and should not permit Indian tribal actions to trump the Constitution or violate individual rights of non-Indians.

With the precedent being set under S. 47, tribes will return to Congress for more, expanded power over non-Indians. There would be no reason to deny granting such power, especially if the Constitution continues to be viewed as an obstacle to addressing crime.

It is important to be clear about the scope of a tribe's criminal jurisdiction granted under S. 47. It affects non-Indians who live, work, or travel on 56 million acres of U.S. soil that happen to be called Indian Country. In other words, the bill makes 56 million acres of land in our nation ''Constitution-Free Zones'' where Due Process and Equal Protection rights—as interpreted and enforced in U.S. courts—do not exist.

What are these areas? There is a misconception that Indian Country is just tribal trust land. In fact, the term Indian Country has a precise meaning under Title 18 of the U.S. Code.

Indian Country includes not just land under tribal jurisdiction, but all private lands and rights-of-way within the limits of every Indian reservation under non-Indian jurisdiction. Homes, farms, schools, businesses. Interstate highways, state roads, and secondary roads. All private, non-Indian lands in Indian Country under the Senate bill are Constitution-Free Zones.

There are incorporated non-Indian cities and towns in many reservations and Indian Country, like Wapato and Toppenish on the Yakama Reservation in my district. Take the Puyallup Indian Reservation in Washington state encompassing parts of Tacoma and Fife. With one of the busiest highways in the nation, Interstate 5, crossing the reservation, the ancient reservation is inhabited primarily by non-Indians living and working and going to school on mostly non-Indian land under the civil and criminal jurisdiction of the State. Under the Senate bill, this region is Indian Country on which the tribe may exercise criminal jurisdiction with no Due Process and Equal Protection rights guaranteed to the people living there.

Under a land claim settlement, taxpayers paid $162 million to the tribe in exchange for the tribe ceding most authority over its reservation. However, the ''notwithstanding any other provision of law'' language in the Senate bill trumps and overrides the land claim agreement.

Take the Coachella Valley in the State of California, with a number of checker-boarded Indian reservations containing non-Indian populations. Tribes in this Valley will get criminal jurisdiction over residents in towns and cities such as Palm Springs for offenses described in Section 904 of the Senate bill. In tribal court, the residents of the Coachella Valley will not have their Due Process and Equal Protection rights.

Take the Oneida Reservation in New York that encompasses about 300,000 acres, 99 percent of which is non-Indian land with non-Indian towns and farms. Under the Senate bill, the tribe will have full powers to arrest, prosecute, and jail residents of Madison and Oneida counties for the offenses described in this bill, with no Due Process or Equal Protection rights guaranteed by the Constitution.

The validity of sections 904 and 905 of S. 47 will eventually come before the Supreme Court. When this happens, it won't be a question of whether these provisions are struck down, but how many other tribal powers will be rolled back, and how many domestic violence offenders will be set free because of the misguided legislation before us.

Some will say that critics of the Senate bill are interested only in the rights of criminal defendants. Then answer these questions: If Congress can justify stripping a citizen of their constitutional rights when accused of a crime, why can't it be justified for other classes of crime, like theft, felony assault, and murder? Why limit the suspension of the Constitution to Indian Country as defined under this bill? Why not create new Indian reservations so there are more Constitution-Free Zones where the Bill of Rights is not an impediment to law and order?

While the House Substitute would delegate criminal jurisdiction to an Indian tribe over non-Indians, it at least guarantees that enforceable constitutional protections are built in so that it might pass muster in Court.

The timing of the consideration of S. 47 is interesting. While proponents say that people have nothing to fear in tribal court, there is at least one tribe in the State of Oklahoma embroiled in litigation over its denial of tribal citizenship to the descendants of the African slaves the tribe's 19th-century members owned. There are also entire families of Indians in California dis-enrolled by their tribe in a dispute over large cash per capita dividends from the tribe's casino, who cannot get a federal court to review their Equal Protection claims.

These cases are merely the latest example of several tribes wielding sovereign immunity to escape any liability for alleged harm caused by possibly depriving individuals—including their own members and ex-members—their constitutional rights.

On the one hand, Indian tribes want criminal jurisdiction over individuals like the Freedmen of the Five Civilized Tribes or the dis-enrolled

Pechangas. On the other hand, they want to forbid these individuals from participating in the tribes' government.

S. 47 makes more U.S. citizens like the disenfranchised Indians in California and the Freedmen of the Five Civilized Tribes. It gives tribes the power to put people in jail while denying them a voice in the making of the laws that govern them.

The tribal jurisdictional provisions must be rejected.

Because of the historic policy change the House is poised to make today, it is necessary to elaborate on why the tribal provisions of S. 47 are unconstitutional and contrary to all precedent, if not common sense, in the United States' administration of federal Indian relations.

INHERENT SOVEREIGNTY

For moral and public policy reasons, Congress rightfully recognizes Indian tribes as possessing powers of self-government over their internal affairs and members. Not being parties to the Constitution, Congress has tolerated—perhaps far too long—the power of a tribe to deprive its members' civil rights guaranteed in our country's supreme law. Because of this, Congress has enacted hundreds of laws since 1789 to protect Indians' unique status encroachment by states. At the same time, Congress has never—until today—allowed a tribe to claim power over a non-Indian.

The scope and nature of a tribe's jurisdiction was delineated in Kagama: ''Indians are within the geographical limits of the United States. The soil and the people within these limits are under the political control of the Government of the United States or of the States of the Union. There exist within the broad domain of sovereignty but these two.'' (*United States* v. *Kagama*, 118 U.S. 375, 379 (1886)).

Tribal self-government is therefore not a general government power equivalent to that of a state, but a federal policy governed by Congress for the promotion of Indian self-determination and to preserve and advance their way of life.

TRIBAL JURISDICTION OVER INDIVIDUALS

The reason why the tribal provisions of S. 47 should, I believe, be struck down is best described by the Supreme Court.

''The effort by Indian tribal courts to exercise criminal jurisdiction over non-Indians, however, is a relatively new phenomenon. And where the effort has been made in the past, it has been held that the jurisdiction did not exist.'' *Oliphant* v. *Suquamish Indian Tribe,* 435 U.S. 191 (1978).

''A tribe's additional authority comes from the consent of its members, and so, in the criminal sphere, membership marks the bounds of tribal authority.'' (*Duro* v. *Reina*, 495 U.S. 676 (1990)).

''Retained criminal jurisdiction [of tribes] over members is accepted by our precedents and justified by the voluntary character of tribal membership and the concomitant right of participation in a tribal government, the authority of which rests on consent . . . With respect to such internal laws and usages, the tribes are left with broad freedom not enjoyed by any other governmental authority in this country . . . This is all the more reason to reject an extension of tribal authority over those who have not given the consent of the governed that provides a fundamental basis for power within our constitutional system.'' (Ibid).

Proponents of Section 904 of S. 47 argue that tribal jurisdiction over non-Indians who cannot participate in tribal government is reasonable because it covers only a narrow class of domestic violence crimes, and it includes measures designed to protect a defendant's rights. These do nothing, however, to address the fact this scheme violates the Constitution. As pointed out in dissenting views filed in the Senate last year on these Indian tribal provisions (S. 1925 in the 112th Congress), ''While the present bill's jurisdiction is limited to domestic-violence offenses, once such an extension of jurisdiction were established, there would be no principled reason not to extend it to other offenses as well.''

In seeking to repeal Oliphant, advocates of the Senate language repeatedly rejected offers to increase law enforcement resources in Indian Country, including law enforcement personnel, funding, training, certification, cross-deputizing, and other tools for tribes, U.S. Attorneys, and State law enforcement agencies to arrest and prosecute men who harm Indian women in Indian Country. When the Supreme Court strikes down this bill, how will Indian women be protected given the rejection of law enforcement resources?

This begs a question: since there has been a pressing need to address terrible domestic violence across Indian Country for many years, why did no Member of Congress or U.S. President propose to reverse Oliphant for 33 years? The first such proposal came in 2011, right after the House Democrats lost their majority in a landslide to Republicans, and a year before a presidential election where a political message often called the ''War on Women'' was developed?

Is the proposed reversal of Oliphant a serious attempt to help Indian women who have been victimized? If it were, then Congress would not have let 35 years go by without proposing a jurisdictional change, including spans of time when advocates were in control of the White House and the Congress.

It is abundantly clear the unconstitutional Oliphant reversal is not aimed at helping vulnerable Indian women. It is a political means to an ideological end, one that will ultimately backfire when it is struck down by the High Court, leaving Indian women unprotected because the advocates had rejected offers of increased federal and tribal law enforcement resources in Indian Country.

UNITED STATES V. LARA

Advocates for inherent tribal power over non-Indians argue the Senate bill is permissible under the United States v. Lara. This reflects a common misunderstanding of Lara.

This case concerned an Act of Congress to reverse Duro v. Reina. In the so-called Duro ''fix'', Congress gave tribes jurisdiction over non-member Indians (i.e. Indian individuals not members of the tribes exercising jurisdiction over them). In Lara, the question before the Court was whether Billy Jo Lara, an Indian man convicted by both a tribal court and a federal court for the same crime, had been twice put in jeopardy. Resolving this hinged on another question, the only one the Court considered: did the tribe's jurisdiction over Lara (authorized by the Duro ''fix'') result from the recognition of ''inherent authority'' or from a federal delegation of power?

A majority of the Court held that the Duro ''fix'' law stemmed from an Act of Congress to recognize the inherent power of the tribe, not to delegate a federal power. As a result, Lara was not put twice in jeopardy because the tribe that convicted him did so as a separate sovereign, not as an agent of the federal government.

Contrary to what tribal advocates have been arguing, the Supreme Court did not find the tribe's jurisdiction over Lara to be constitutional. Why? Because the Court declared it was not facing ''a question dealing with potential constitutional efforts to legislate far more radical changes in tribal status.'' (Majority opinion, U.S. v. Lara) The Court was not considering ''the question whether the Constitution's Due Process or Equal Protection Clauses prohibit tribes from prosecuting a nonmember citizen of the United States'' (Ibid).

The reason why was because, as Anthony Kennedy's separate concurring opinion stresses, ''The proper occasion to test the legitimacy of the tribe's authority, that is, whether Congress had the power to do what it sought to do, was in the first, tribal proceeding. There, however, Lara made no objection to the tribe's authority to try him.'' (Kennedy concurring opinion). In other words, Billy Jo Lara waived any right to challenge the constitutionality of the tribe's criminal jurisdiction over him, a non-member Indian. The Court was reviewing only whether the federal government put him twice in jeopardy.

Kennedy goes out of his way to cast doubt on the constitutionality of Congress recognizing tribal jurisdiction over non-Indians and over non-member Indians. ''[it should not be doubted that what Congress has attempted to do is subject American citizens to the authority of an extraconstitutional sovereign to which they had not previously been subject.'' (Kennedy concurring opinion).

Those who say the Supreme Court holding in Lara have probably not read it. Perhaps fittingly, Justice Kennedy was the lone dissent in the Ninth Circuit Court of Appeals decision in Oliphant, a dissent ultimately vindicated by the U.S. Supreme Court that Kennedy would years later join.

In conclusion, S. 47 denies basic rights, is unconstitutional and will be tied up in court challenges for years.

Mr. MARKEY. Madam Speaker, I rise today in strong support of S. 47, the Senate's bipartisan, comprehensive reauthorization of the Violence Against Women Act that passed 78–22.

I look forward to the House passing this crucial bill later today and sending it to the President.

The House Republicans delay in bringing this bill forward is inexcusable. It should have been the law of the land last year.

Why did they delay it? In no small part because of their concern over recognizing tribal authority to protect Native American victims of domestic violence, even though Native women are victimized at a rate that is more than twice the national average.

I stand with the National Congress of American Indians, the oldest and largest tribal organization in the country, in opposing the Republican substitute amendment and supporting the Senate version. It is well past time that Congress recognizes the inherent power of tribal nations to protect their own and hold criminal offenders, regardless of race, accountable.

Indeed, I stand with all women of this country to say ''no more.'' No more delay in reauthorizing this bill. No more escape for those who attack women. No more violence against women.

Mr. BENTIVOLIO. Madam Speaker, legislation that is passed here needs to be more than just a title that sounds good in the press. I understand that when most in this country hear the ''Violence Against Women Act,'' they think, ''of course I don't support violence against women. This must be a great bill.'' When I was a high school teacher I used to tell my English students that you can't judge a book by its cover. Well, maybe we should learn here in Congress that you can't judge a bill by its title.

The gruesome and oftentimes cruel experience of domestic violence should not happen to anyone. It shouldn't matter what race or ethnicity you are. It shouldn't matter your religion, your sexual orientation, age, immigration status or economic standing. And it shouldn't matter your gender. No one should feel unsafe at home.

Unfortunately, this bill doesn't do that. This bill segregates people into groups, making gendered designations that assume a feminization of victimhood. We live in a fallen world in which all kinds of people are capable horrid, violent behavior, every victim of domestic violence should receive protection and support regardless of their circumstances. I wish this bill simply dealt with domestic violence instead of gender stereotypes.

Furthermore, the Tenth Amendment exists and we can't ignore it. Each State already has criminal statues targeting domestic violence. If more laws are needed, there is no reason why each state can't pass stronger laws. I understand that there are cases where Washington can help, that's why I support the SAFE Act, which will end the needless backlog of rape kits, leaving too many sexual predators still at large. I wish we were voting on that today and I hope we can do so as soon as possible.

Laws should be passed that don't place people into groups. My constituents sent me to Washington to vote for sound policy, not for titles that just sound good in the media. For these reasons, I cannot support this bill.

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in support of S. 47, the Violence Against Women Reauthorization Act of 2013. I urge my colleagues to pass this bill which aims to protect all Americans from domestic and sexual abuse.

I thank Speaker BOEHNER for bringing S. 47 to the House floor for a vote. This bill passed in the Senate earlier this month by a vote of 78–22. Altogether, 23 Republican senators voted for this bill, including every Republican woman senator. Madam Speaker, this bill, introduced by Senator PATRICK LEAHY, a Democrat, and Senator MIKE CRAPO, a Republican, is not only bipartisan, but it is also a comprehensive and inclusive solution to the domestic and sexual violence plaguing American society.

While I fully support reauthorization of this law which, since 1994, has been an essential tool to protect victims of domestic and sexual violence, I do, however, have major concerns with the GOP substitute to this bill. Unlike S. 47, the substitute offers a lesser form of protection for Indian women abused on tribal land.

The House version requires that Native American tribes seek certification from the U.S. Department of Justice before they are able to prosecute non-Indian offenders on tribal land. Madam Speaker, this doesn't make any sense. A sovereign tribe should not have to willingly hand over part of their sovereignty to prosecute these offenders. Ultimately, the House version falls short of protecting Native American women.

However, today the House has an opportunity to pass S. 47 which is supported by those it aims to protect, including the Native American community. S. 47 offers comprehensive protection for all of our people, not just some.

Madam Speaker, unfortunately, domestic and sexual crimes have been on the rise in the U.S., including my district of American Samoa. And like many cases in the States, almost always, the perpetrator is a family member or close neighbor.

Furthermore, these crimes often go unreported due to fear of authorities or shame. It is the fear to come forward that allows abusers to continue their abuse. But when laws are in place to offer full support and protection for victims, we can ensure that more and more of these victims will come forth and their abusers are brought to justice.

Through this inclusive legislation, S. 47, we take one step forward to reinforce support even for the most marginalized communities. Today the House has the opportunity to pass this bill to protect all people, whether they are from the inner city or a tribal reservation, whether they are immigrants who would otherwise be afraid to come forward, or whether they are part of the LGBT community.

Madam Speaker, I urge my colleagues to vote no on the House amendment and to pass S. 47, a bill to protect all people, because that, Madam Speaker, is what America is all about.

Mr. HOLT. Madam Speaker, I am pleased to be support this very good bill. I only wish it had been allowed on the House floor a year ago for a vote.

For the first time in years, the Congress is poised to pass a VAWA reauthorization that is worthy of the name. Finally, we will be providing real protections for a number of vulnerable populations among America's women.

Of course, this bill almost didn't make it to the House floor. The House majority was going to simply sit on S. 47 and offer their own VAWA substitute. After a massive public shaming, the majority backed down. They are still offering their own so-called substitute—which is a sham—but we will also have the chance to vote on the Senate bill, which is the true VAWA reauthorization.

This bill provides tangible, enforceable protections for LGBT, Native American and immigrant victims of sexual assault and domestic violence. The bill will help ensure the availability of services to all victims of domestic and dating violence, no matter their sexual orientation or gender identity. S. 47 also provides authority to Native American tribes to prosecute non-Indian perpetrators for a narrow set of crimes related to domestic, dating violence and violations of protecting orders. The Senate bill also adds stalking to the list of crimes for which victims can receive protection through the U-Visa program. Finally, S. 47 also includes authorizations for programs preventing human trafficking, sexual assault on college campuses, as well as additional resources to address rape kit backlogs.

Madam Speaker, this day has been entirely too long in coming, but I am pleased that it is finally here and I urge my colleagues to join me in supporting this bill and sending it to President Obama for his signature.

Mr. GRIJALVA. Madam Speaker, I rise today to express my support for the Senate-approved Violence Against Women Act reauthorization bill known as S. 47 and to explain my concerns about its counterpart in the House.

Since it was first authorized in 1994, VAWA has supported countless victims of domestic violence, stalking, dating violence and sexual assault. VAWA-funded programs have provided housing and legal services to survivors across the country. The law has provided police and nonprofit organizations the resources they need to investigate more cases and prosecute those responsible. Over time, VAWA has progressively protected more Americans, including seniors and Americans with disabilities.

VAWA has meant tangible successes in the fight against domestic and other forms of violence. Reporting of these incidents has increased by 51 percent since 1994, when we first passed the law.

S. 47 builds on these successes by adding protections for immigrants, Native Americans, and LGBT Americans. Under this measure, Native Americans will be able to effectively address sexual violence in their own communities. U-Visa holders will receive new legal protections against stalking. LGBT Americans will be added to the measure's non-discrimination clause. More funding will be given to college campus programs that combat human trafficking and sexual assault.

I applaud my colleagues in the Senate for passing this strong measure 78 to 22 with bipartisan support.

Unfortunately, my colleagues introduced a weaker and unacceptable House version of S. 47 last week. It removes the necessary protections for Native Americans, immigrants, and LGBT Americans and weakens the Trafficking Victims Protection Act and the SAFER Act.

As lawmakers, we must cement protections for every American harmed by sexual violence—regardless of race, sexual orientation, or country of origin.

As discussions of VAWA conclude this week, I urge my colleagues to support the Senate bill, and to accept no substitute for a strong, inclusive final product.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the Violence Against Women Act (VAWA) has historically provided a vast network of support for victims of domestic violence, dating violence, sexual assault, and stalking since its initial passage in 1994. As the House considers the reauthorization of these critical protections, Members of Congress will have to choose between two vastly disparate futures for the women of our Nation.

In one future, the House extends these important protections for all Americans by approving the Senate-passed reauthorization of VAWA, S. 47. This bipartisan bill not only extends the protections afforded to women under previous reauthorizations, but also expands those protections to LGBT individuals, Native Americans, and immigrants. In this future, abusive partners and perpetrators of violence are swiftly brought to justice as Congress builds upon the successes of VAWA, and incorporates new and innovative approaches to combating violence against women.

However, in a harshly dissimilar future that could be realized through the passage of the House substitute bill, only select groups of battered and abused women are protected

from violence or sexual assault. In this dismal scenario, college students, Native Americans, LGBT individuals, and others are left to fend for themselves against their attackers. In this future, perpetrators may remain confident that the strain on limited law enforcement resources will prevent them from being prosecuted for these gross violations of the law. This is not the future that I would want to envision for these victims of violence.

Madam Speaker, the Senate-passed version of the VAWA reauthorization is the result of extensive deliberation and consultation with real victims of violence, law enforcement personnel, and outside organizations that specialize in combating domestic violence and abuse. This Congress must vote to pass S. 47 immediately if we are to stand behind the women of this Nation, and send a strong message that these acts will not be tolerated. Every victim of domestic violence in America deserves equal protection under the law, and the House substitute to VAWA does not acknowledge the pervasiveness and severity of the violence that women must face each and every day.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise in support of the Senate version of the Violence Against Women Act. According to the US Department of Justice, in 2007 intimate partners committed 14 percent of all the homicides in the United States.

In 2007, of all the deaths caused by Intimate Partner Violence, 70 percent were females and 30% were males.

In 2008, females age 12 or older experienced about 552,000 nonfatal violent victimizations by an intimate partner.

From 1994 to 2010, about 4 in 5 victims of intimate partner violence were female.

All those numbers are all real. And so are the tragedies behind them. The body count is indisputable. The pain—the suffering—the loss—are hard to bear even in our imaginings.

And the damaging effect on the children that witnessed such acts of violence—lingers into future generations—spreading its toxic effects.

Grim facts like these are why the Violence Against Women Act was originally passed: Women were dying—disproportionately—from intimate partner violence. Women were the ones being beaten. Women were the ones being raped. And the ordinary efforts of law enforcement at the time—were simply not able to keep them safe.

More needed to be done to stop the plague of violence. And that is why the Violence Against Women Act was passed with strong bi-partisan support. And was re-authorized—again—with strong bi-partisan support.

And yet somehow—in this sad new world of partisan politics and endless rancor—the simple reauthorization of the Violence Against Women Act has become a political football. A way—not to save lives—or keep women and children safe—but to score points—to win a game.

But this is not about politics—this is about the single most fundamental task that we require of our government—keep it's citizens safe from violent assault.

That is what the Violence Against Women Act is about—keeping people safe—people who are at clearly demonstrable risk.

And in America—we have long stood by the principle that the protections of the law are not meant just for some—not just for those who may be in greater favor or hold greater sway. But the law should be there to keep all people safe. Period.

And yet—our Republican colleagues have seen fit to weaken the Violence Against Women Act and strip from the Senate version of the bill—new protections for populations that we know beyond dispute have been victimized by intimate partner violence—and are in need of protection.

We know that long standing prejudices put these populations at risk. We know that without the specific protection of the law—they will continue to suffer. And yet these protections have been stripped.

And we know beyond question—there are estimates that hundreds of thousands of rape kits are sitting on shelves un-tested—and that each and everyone of those rape kits may hold the information that will solve a violent crime—and bring some closure to a traumatized victim.

And yet our Republican colleagues weakened the bill and ripped from the VAWA a provision which I sponsored, that would help state and local governments conduct audits of those rape kits with no new spending.

The SAFER Act (H.R. 354) would also have provided a measure of open government and public accountability, by requiring audit grantees to issue regular public reports that detail the progress they have made in clearing the rape kit backlog.

Additionally, it would have allowed the National Institute of Justice to publish a set of non-binding protocols and practices to provide guidance in cases that include DNA evidence. And yet the Republicans chose to weaken the bill and take that out.

We also know that recent studies have shown that 1 in 5 women will be sexually assaulted during her college years.

That grim statistic is made even worse by the fact that a study of sexual assaults on campuses, showed that even though victims' may be profoundly traumatized, the students deemed 'responsible' for the sexual assaults typically faced little in the way of real consequences.

How then, could Republican's in the House also strip from the Senate version of the Violence Against Women Act, The Campus Save Act (H.R. 812), another provision I offered that would increase the obligations of colleges to keep students safe and informed about policies on sexual assault?

To keep your daughters safer, the bill would also have required colleges to collect and disclose information about sexual assault; and to update and expand existing domestic violence, dating violence, and stalking services on their campuses. And yet Republicans chose again—to weaken the bill—and to take that out.

To turn a blind eye to such a fundamental obligation of government—to simply keep its citizens safe from sexual assault—is to throw up your hands and surrender to a level of savagery that is unworthy of a great nation.

LET'S RENEW VAWA TODAY

(By Carolyn Maloney)

Today, Congress has an historic opportunity to reauthorize the Violence Against Women Act (VAWA). It has been more than 500 days since VAWA expired and women have gone without critically important protections. Despite the fact that last year the Senate voted on a large bipartisan basis to renew VAWA, the House Republican leadership blocked a vote on that bill and instead pursued a highly partisan plan that actually narrowed VAWA's protections.

Last week, the Senate again passed a bipartisan bill (S. 47) to reauthorize VAWA and today my colleagues and I in the House may finally get the vote we have been waiting for. The Senate bill renews and expands VAWA's protections and also includes several new provisions I have been pushing for years to help rape victims, reduce violence on college campuses and assist human trafficking victims.

The facts are indisputable and they are grim. Women are far more likely than men to be the victims of domestic violence. Women are the ones being beaten. Women are the ones being raped. Without VAWA, the federal government is extremely limited in what it can do help combat this plague of violence.

I was proud to be an original cosponsor of the Violence Against Women Act when Congress passed it in 1994, and was proud to support the previous renewals in 2000 and 2005. These bills always enjoyed large, bipartisan support.

Yet somehow in this sad new world of partisan politics and endless rancor, even the Violence Against Women Act has become a political football. But this is not about politics. It is about the single most fundamental task that we require of our government—to keep its citizens safe from violent assault.

In America, we have long stood by the principle that the protections of the law are not meant just for some. The law should be there to keep all people safe. That is why I support the Senate bill's expansion of VAWA to protect vulnerable populations such as Native American victims, LGBT victims, and immigrant victims.

We know that long standing prejudices put these populations at risk. We know that without the specific protection of the law, they will continue to suffer. We cannot let these protections fall by the wayside.

I'm also incredibly proud that the Senate's VAWA bill includes two bipartisan bills I authored that will help keep women safe and do not cost any new money—The SAFER Act (H.R. 354), which I introduced with Rep. Ted Poe, and the Campus SaVE Act (H.R. 812).

According to some estimates, hundreds of thousands of untested rape kits are sitting on lab shelves across the country. Each and every one of these rape kits may hold the information to solve a violent crime and bring some closure to a traumatized victim. By creating a new grant mechanism to conduct audits of unprocessed kits so that the backlog can be tracked and reallocating funding already approved under the Debbie Smith Act so that more money is spent processing untested rape kits, the SAFER Act will help eliminate this backlog—and apprehend more rapists.

My other bill included in the Senate's VAWA version, the Campus SaVE Act, will increase the obligations of colleges to keep students safe and informed about sexual assault policies. Recent studies have shown that 1 in 5 women will be sexually assaulted during their college years. To keep our daughters safer, the bill requires colleges to collect and disclose information about sexual assault, and to update and expand domestic violence, dating violence, and stalking services on their campuses.

The Senate bill also reauthorizes the Trafficking Victims Protection Reauthorization Act, providing programs and services to help victims of human trafficking rebuild their lives. For years I have fought to end human trafficking in America and around the globe and I commend the Senate for including this amendment to end this modern day slavery.

When the House considers the Violence Against Women Act later today I will urge my colleagues to pass the Senate bill with the same overwhelming bipartisan support it received in the other chamber. We cannot turn a blind eye to such a fundamental obligation of government, keeping its citizens safe. With today's vote on VAWA, the House has an opportunity to renew our nation's commitment to do everything we can to protect our sisters, daughters, nieces, mothers, and grandmothers from violence. I hope we take it.

Mr. BLUMENAUER. Madam Speaker, the satisfaction I have that we've finally renewed the Violence Against Women Act is tempered by how hard it was to get the acceptance of two critically important provisions. Why should there be any question about respect for Native Americans' sovereignty in their own territory to protect their own female citizens? Arguments to the contrary are bogus and demeaning.

It was also critical that protection be extended to people regardless of their sexual orientation.

This victory is a small sign of the shifts in the House where Democrats are united in supporting core values and a minority number of Republicans, increasing in number, are willing to buck their leadership and the Tea Party majority. It would be nice if this could carry forward to other critical issues of the day.

Mr. PASCRELL. Madam Speaker, while I'm glad that we will have the opportunity to vote on Senate passed version of the Violence Against Women Act today, I can't believe that we have to stand here playing partisan political games with legislation meant to protect the most vulnerable among us.

Since the Violence Against Women Act first passed in 1994, it has had strong bipartisan support. Instead of passing the bipartisan Senate bill, a bill that received 77 bipartisan votes, including the vote of every woman Senator, the majority has decided instead to turn women's safety and security into another partisan political fight by offering their substitute. The statistics tell the chilling story. According to the CDC 2010 National Intimate Partner and Sexual Violence Survey, on average 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States. In New Jersey alone, there were 70,311 domestic violence offenses reported by the police in 2011.

The Violence Against Women Act has made great strides when it comes criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States. It shouldn't matter if a woman is an immigrant, or a member of the LGBT community, or a Native American. All women deserve the protections provided by VAWA.

Instead of strengthening the Senate language, the Majority's substitute waters down or completely erases provisions that would make sure that victims are not denied services because they are gay or transgender. It also fails to fully protect the confidentiality of immigrant women.

I reject that partisan approach. I urge my colleagues to vote no on the Republican substitute, and yes on the Senate bill.

Let's show the American people that despite our differences, bipartisanship is possible, and Congress can in fact get some common sense things done. We need legislation that lives up to its name, and lives up to the promises we have made to all women in this nation.

Ms. CLARKE. Madam Speaker, today, I rise in support of the Senate passed bill, S. 47, the Violence Against Women Reauthorization Act of 2013 also known as "VAWA."

This bipartisan bill expands the authority of the Federal Government, the States, law enforcement, and service providers to prevent domestic violence, dating violence, sexual assaults and stalking.

In 2012, the New York City Police Department responded to two hundred sixty three thousand two hundred seven (263,207) domestic violence incidents; this averages to over 720 incidents per day.

Yet, there are countless more people that are victims of domestic violence that did not call the police. Estimates range from one to three million victims per year, who have experienced violence by a current or former spouse, boyfriend, or girlfriend.

These stats are more than numbers—they represent our sons and daughters; our mothers and fathers; our friends and neighbors.

Victims of all races, genders, sexual orientation and nationality are equally vulnerable to violence by an intimate partner.

The Senate bill includes provisions that that will allow every victim of domestic violence to receive protection. The bill specifically includes language that makes it clear that members of the LGBT community should be afforded protection under the reauthorized VAWA.

It also extends the protection of domestic violence laws to undocumented immigrants. Undocumented immigrants are often one of the most vulnerable populations due to their fear of deportation and due to the fact that they were denied access to many of the programs funded by VAWA.

Often undocumented immigrants and members of the LGBT community suffered—and died—in silence as a result of domestic violence. So, I applaud the Senate for recognizing that the status quo simply just won't do!

And I ask my colleagues to vote in support of this long overdue reauthorization.

Mr. CONNOLLY. Madam Speaker, I am pleased to see the Republican Leadership in the House has decided to relent on its ideological objections to renewing the landmark protections and support services for women who are victims of violence or domestic abuse.

Until just days ago, it appeared the House was again preparing to stand in the way of reauthorizing the Violence Against Women Act, which was supported by a majority of Republican Senators when the bill passed that chamber on a stronger, more bipartisan vote than it did in the 112th Congress. I am proud to cosponsor the House companion, which now has 200 cosponsors.

Far too many of us have been touched by domestic violence in one way or another. Maybe it was a mother, a sister, a college roommate, or co–worker, who was forced to suffer in silence following an attack. Domestic violence is a real and troubling problem in our communities, and the need for these protections continues to grow. In my district, Turning Points, the only domestic violence intervention program in Prince William County served 6,000 clients last year. In neighboring Fairfax County, there were more than 8,000 cases of domestic violence reported, and we have seen a 40% increase in homelessness due to domestic violence.

This vital legislation will renew our successful partnerships with local nonprofits and law enforcement agencies. It will improve protections for underserved communities, particularly immigrants and victims of human trafficking. It will expand housing assistance for victims and provide support regardless of sexual orientation.

Since these victim protections were first adopted in a bipartisan fashion 19 years ago, reporting of domestic violence has increased as much as 51% as more victims are coming forward. Today's legislation will ensure more women, children and families receive this lifesaving assistance so they can finally move from a situation of crisis to one of stability.

Again, I commend my Republican colleagues for compromising on this important legislation. This is yet another example of the tremendous work we can achieve for our constituents when we work together, and I hope we continue in that spirit as we turn to address the devastating cuts of sequestration and the budget for the rest of this fiscal year, which will affect these new victim protections among our many other priorities.

The SPEAKER pro tempore. All time has expired.

The question is on the amendment in the nature of a substitute offered by the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

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

Mrs. MCMORRIS RODGERS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 166, nays 257, not voting 8, as follows:

[Roll No. 54]

YEAS—166

Aderholt	Collins (NY)	Hensarling
Alexander	Conaway	Herrera Beutler
Amash	Cramer	Holding
Amodei	Crawford	Hudson
Bachmann	Crenshaw	Huizenga (MI)
Bachus	Davis, Rodney	Hultgren
Barletta	DesJarlais	Hunter
Barr	Duffy	Hurt
Barton	Ellmers	Jenkins
Benishek	Farenthold	Johnson (OH)
Bentivolio	Fleischmann	Jordan
Bilirakis	Fleming	Joyce
Bishop (UT)	Flores	Kelly
Black	Forbes	King (IA)
Blackburn	Fortenberry	King (NY)
Bonner	Foxx	Kingston
Boustany	Franks (AZ)	Kinzinger (IL)
Brady (TX)	Gibbs	Kline
Brooks (AL)	Gingrey (GA)	Labrador
Brooks (IN)	Goodlatte	LaMalfa
Buchanan	Gowdy	Lankford
Bucshon	Graves (GA)	Latham
Burgess	Graves (MO)	Latta
Campbell	Griffin (AR)	Lipinski
Cantor	Griffith (VA)	Long
Carter	Guthrie	Lucas
Cassidy	Hall	Luetkemeyer
Chabot	Harper	Lummis
Chaffetz	Harris	Marino
Collins (GA)	Hartzler	Massie

McCarthy (CA)
McCaul
McIntyre
McKeon
McMorris Rodgers
Messer
Mica
Miller (FL)
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Palazzo
Paulsen
Perry
Pittenger
Pitts
Posey
Price (GA)
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Scott, Austin
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

NAYS—257

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibson
Gohmert
Gosar
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huelskamp
Huffman
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
Meadows
Meehan
Meeks
Meng
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
O'Rourke
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Polis
Pompeo
Price (NC)
Quigley
Radel
Rahall
Rangel
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Titus
Tonko
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Yoho
Young (FL)

NOT VOTING—8

Coble
Granger
Hinojosa
Johnson, Sam
Marchant
Miller, Gary
Reed
Young (AK)

□ 1139

Messrs. STOCKMAN, LAMBORN, DIAZ-BALART, and GARDNER changed their vote from ''yea'' to ''nay.''

Messrs. ROHRABACHER, BENTIVOLIO, and HALL changed their vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CONYERS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 286, noes 138, not voting 7, as follows:

[Roll No. 55]

AYES—286

Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Hunter
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Messer
Michaud
Miller (MI)
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
Nugent
Nunes
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Renacci
Richmond
Rigell
Rogers (MI)
Rokita
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)

NOES—138

Aderholt
Amash
Bachmann
Barton
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Campbell
Cantor
Carter
Cassidy
Chabot
Chaffetz
Collins (GA)
Conaway
Cotton
Crawford
Culberson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harris
Hartzler
Hastings (WA)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
Kingston
Labrador
LaMalfa
Lamborn
Lankford
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCaul
McClintock
Meadows
Mica
Miller (FL)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nunnelee
Olson
Palazzo
Perry
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Scalise
Schock
Scott, Austin
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

Roby	Scott, Austin	Walberg
Roe (TN)	Sensenbrenner	Weber (TX)
Rogers (AL)	Sessions	Wenstrup
Rogers (KY)	Smith (NE)	Westmoreland
Rohrabacher	Smith (NJ)	Whitfield
Rooney	Smith (TX)	Williams
Roskam	Southerland	Wilson (SC)
Ross	Stewart	Wittman
Rothfus	Stockman	Wolf
Salmon	Stutzman	Womack
Scalise	Thornberry	Woodall
Schweikert	Wagner	Yoho

NOT VOTING—7

Coble	Johnson, Sam	Young (AK)
Granger	Miller, Gary	
Hinojosa	Reed	

□ 1156

Mr. STEWART changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Madam Speaker, I regret that I was unavoidably detained in my district. Had I been present, I would have voted ''nay'' on rollcall vote 54 and ''aye'' on rollcall vote 55.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 307. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H. RES. 88

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to remove all cosponsors from H. Res. 88.

The SPEAKER pro tempore (Mr. STEWART). Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to my friend the majority leader, Mr. CANTOR, for the purposes of inquiring of the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m. On Friday, the House is not in session.

Mr. Speaker, the House will consider a number of suspensions on Monday and Tuesday, a complete list of which will be announced by the close of business tomorrow. In addition, the House will consider a resolution to fund the government for the remainder of the fiscal year. I expect the resolution to also include bipartisan bills to fund the Departments of Defense and Veterans Affairs, thus providing more flexibility to our military and allowing the Pentagon to engage in new starts, something it would not be allowed to do under the CR.

Mr. Speaker, I would like to highlight two additional items.

On Tuesday, the House passed legislation to establish a nationwide academic competition in the STEM fields. This competition will encourage entrepreneurship and provide a unique opportunity for America's high school and college students in each congressional district to showcase their creative capabilities.

I thank Chairman CANDICE MILLER and Ranking Member BRADY for their hard work in making this bipartisan program possible, and I look forward to the success of the competition for years to come and of the benefit it will provide our institution.

Lastly, Mr. Speaker, I would like to highlight the Congressional Civil Rights Pilgrimage occurring this Friday through Sunday in Alabama, led by Congressman JOHN LEWIS—a true American hero and champion of civil rights and freedom. A bipartisan delegation of Members will participate in the 3-day journey through Alabama, concluding with the commemoration of the 1965 civil rights march across the Edmund Pettus Bridge in Selma.

Alongside the Democratic whip, I am honored to participate in this pilgrimage and to reflect on the sacrifice that shaped the greater democracy we live in today.

Mr. HOYER. I thank the gentleman for the information. I also thank him for his reference to the march over the Edmund Pettus Bridge from Selma to Montgomery, which we will commemorate. That march occurred on March 7, 1965.

Yesterday, we had the honor of dedicating and accepting a statue in memory of Rosa Louise Parks. Rosa Parks, of course, is known in many respects as the mother of the civil rights movement that led to America's perfecting its Union—to its allowing and making sure that every American, irrespective of race or color or nationality or religion, could be treated equally. It's appropriate that we participate in this march across the Edmund Pettus Bridge to recall this country's commitment in 1965 to the Voting Rights Act, which ensured that every American would have what is intrinsic in the definition of democracy—the right to vote and the right to have one's vote counted.

I look forward to being the honorary cochair—with the majority leader—of this march with a true American hero, who is the chair, the leader, the person who has shown such extraordinary courage, not only on March 7, 1965, but years before that and every year thereafter, including until today.

□ 1210

So I thank the gentleman for calling attention to that march, and I look forward to participating with him in Alabama this weekend.

Now, Mr. Leader, as all of us know, automatic, draconian—in my view, irrational—cuts will occur starting tomorrow as a result of the so-called sequester. I did not see any legislation on the floor for next week which would obviate the happening of that event, the sequester, although I do see that there is some desire, apparently, to make sure that the Defense Department and the Department of Veterans Affairs have the ability to manage those cuts in a way that will be least detrimental.

I would ask the gentleman—there are, of course, 10 other appropriation bills; there are 10 other major agencies and multiple departments and offices that will have a problem similar to that of the Department of Defense and the Veterans Administration—is the gentleman aware of any efforts that will be made to accommodate the domestic side of the budget?

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding; and I would say, Mr. Speaker, as the gentleman knows, the House has acted twice to offer alternatives to what we agree with is a very wrong way to go about cuts, which is the sequestration measure. But unfortunately, both times the Senate rejected or refused to take up the alternative. I'm aware that the other body is anticipating or at least attempting to vote on an alternative, both of which are predicted to fail in the Senate.

So I would say to the gentleman, Mr. Speaker, that he's right in saying that our intent is to try to provide the flexibility for the Defense Department in terms of its appropriations, as well as the MilCon bill; and we do so because there is bipartisan agreement around those two bills.

I would say to the gentleman that if bipartisan agreement somehow is reached in other bills, I would say to the gentleman we certainly would like to be able to take a look at that. But I believe, Mr. Speaker, it is prudent for us to try to do the things that we can do right now so that we don't have to bear the burden of the wrongheaded way of controlling spending, which is that sequestration.

Mr. HOYER. I thank the gentleman for his comments. Let me only observe that the bills which the gentleman has now discussed for 3 weeks running, on which we've had colloquies, are no longer available in either the Senate or the House. He knows that. They were in the last Congress, and they died in the last Congress. There has been no legislation in the 59 days that we've been here, put on this floor, and only the majority leader can put legislation on the floor, no legislation which would have an alternative to the sequester.

And, in fact, notwithstanding some of the representations that have been made, Mr. Speaker, there was a bill on this floor on July 19, 2011, which was called cut, cap, and balance; 229 Republicans voted for that bill. That bill had as its fallback, if the objectives of the bill were not reached, sequester. That was substantially before—many days before—the President, and through the person of Jack Lew, talked about making that a part of a piece of legislation that we needed so that we did not default on the national debt. And for the first time, not only since I've been serving in the Congress, some 32 years, but for the first time in history, as a result of that action of coming so close to defaulting on the national debt, this country was downgraded by a single point.

The gentleman talked about the STEM bill that was passed. He voted for it. I voted for it. An overwhelming majority of Democrats and Republicans voted for it to help our economy. That event substantially hurt our economy. Mr. Speaker, the inability to get to agreement on the sequester is hurting the economy. And I will tell my friend that we've offered three times to have a bill considered as an alternative to sequester which cuts spending, raises some additional revenue—and I know the gentleman is going to give me a lecture about raising taxes. I understand that.

But I would urge the gentleman, let a vote happen on this floor. Let the House, as you said in 2010, work its will. That's what the Speaker said he wanted to do. Let us vote on an alternative, not just blindly go down this road of sequester, not blindly go down this road that the gentleman has just agreed with me, and we agree together, I think most of us agree, the sequester is irrational. It should not happen. In fact, it was put in the bill on the theory that surely we wouldn't let it happen. But in 59 days, we've had no bill on this floor. All the gentleman talks about is a bill that is dead and gone and buried that we can't consider, that won't make a difference, that will not in any way ameliorate the sequester. And I regret that, Mr. Leader, because I think we can.

Frankly, next week we can put alternatives on the floor. If you have an alternative, put it on the floor. I may vote against it, but that's what the American people expect. They expect us to try to solve problems, and they sent us here to vote on policy.

Mr. VAN HOLLEN, the ranking Democrat on the Budget Committee, has asked three times, Mr. Leader, to bring an amendment to this floor to provide an alternative to sequester.

It seems strange that when both of us agree that sequester is wrong, irrational, will have adverse effects, and Ben Bernanke says it will substantially hurt the economy, that we don't provide alternatives, and all we talk about is something that we yesterday—actually, 3 or 4 months ago—that is dead and gone. We need to do something now, and we need to come together on a bipartisan basis.

I might say to the leader, we've had four major bills signed into law in this Congress by the President. Every one of those bills was passed in a bipartisan basis with an average of 168 Democrats voting for it, and an average of 124 Republicans voting for it. We saw a perfect example, Mr. Leader, on the floor today of making very good policy. How did we do it? We did it in a bipartisan vote. I suggest to my friend, the majority leader, that we could do that as it relates to the sequester if we would bring something to the floor, have a vote on it; and in my view in a bipartisan fashion, we could in fact set aside this irrational, negative sequester, and move on to a rational fiscal policy.

I would be glad to yield to my friend if he wants to make a comment on it.

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

First of all, there would not be a bipartisan vote on the Democratic suggestion on how to deal with the sequester. As the gentleman rightfully suggests, that measure will include tax increases. You know, we've heard a lot of talk about balance, that we need to approach the situation in a balanced way. Well, the President has enacted $149.7 billion worth of tax increases for this fiscal year. Sequestration results in $85.3 billion worth of spending reductions.

As you can see, Mr. Speaker, the balance is clearly in favor of tax increases, taking people's money and then allowing Washington to decide how to spend it when most people realize the government is never the best one to spend and allocate someone else's dollars, which is why we insist on having a limited government, providing the necessary support and roles that it should, and not continuing to take other people's money and deciding how we spend it.

Now, I'd say to the gentleman, he knows as well as I do that the Senate refuses to take up whatever we send them. They have refused again and again. So we've got a real problem that somehow one House does its work. Twice this House went and passed bills with alternative measures to address sequestration, and a significant portion of both of those bills, one of which I sponsored, were provisions taken out of the President's own budget, not the tax increases, but actually spending reductions that the President says are okay, but yet still the Senate failed to take them up.

□ 1220

So there's a meeting tomorrow at the White House, Mr. Speaker, and I know the gentleman shares the desire to perhaps have that meeting prod the Senate into acting. That's what we need to happen. The House does its work. The House can produce a plan, and has, twice, to replace this sequester.

Now, I'd say to the gentleman, he's concerned about the economy, and so are we, very concerned about the economy. We're concerned about the rating agencies' outlook on our fiscal situation as well, as the gentleman suggests. But, I'd like to remind the gentleman, Mr. Speaker, that the warnings from these rating agencies are not warnings that are wholly addressed by just coming to some deal. Those warnings from the rating agencies are directed at our doing something about the underlying fiscal problem this Federal Government has, which is the mountains of debt caused by the growth and the unfunded liabilities in our entitlement programs. And, as the gentleman knows, we failed to come to agreement in 2011 as to how to deal with those unfunded liabilities, which is why the sequestration is in place.

We've got to have that deal on the unfunded liabilities because that's what those warnings are about. That's what we should be concerned about, not raising more taxes. Those warnings are not about raising more taxes. It's about getting rid of the out-of-control liabilities that are racked up because of the spending, which is out of control.

Mr. HOYER. I thank the gentleman for his comments.

It doesn't get—we've been here 59 days, in this Congress. Not a single bill has been brought to this floor which will deal with the sequester, not one. As a matter of fact, we've only met 17 of the 59 days this year. So my friend laments the fact that the sequester is going into effect and he talks about bills that, as he didn't deny, they're dead and gone. The Senate can't take them up.

So many folks want us to read the Constitution of the United States. I'm for doing that. It's Article I that gives to the House, as the leader, I'm sure, knows, the responsibility to raise revenues and to pass appropriation bills. It's the House that needs to initiate legislation, and we guard that pretty jealously. We guarded it—we just passed VAWA. There was a lot of discussion about VAWA having—in the last Congress, that passed overwhelmingly, was delayed because, very frankly, they had some money effect in that bill. We said that was subject, therefore, to objections on our side.

We haven't met very often, and when we do meet, the only real bills we pass are passed in a bipartisan fashion, as happened today.

And when we talk about balance—and I get very frustrated. Take somebody else's money. Did you want to take it out of your pocket? Was the Constitution of the United States, which formed a more perfect Union, designed to take the Chinese money or European money and fund our education, our health care research, our highways, our national security? Of course not.

It is our money. Each one of us individually works hard, and we apportion a part of our earnings to the common good, to the common defense, to the common investment in our future, in education, in innovation, in infrastructure. Yes, we do that.

And I will tell my friend, and he well knows this, I get somewhat frustrated when I hear this. When I served in this Congress from 2001 to 2008, when the economic policy that was in effect was all your party's economic policy, and you cut revenues substantially and you increased spending substantially and we went from surplus to deep deficit, we need to solve that. I agree with the gentleman. We need to solve it, but we need to do it on a bipartisan basis.

That's why I point out the only bills of substance that have been signed by the President, that weren't suspension bills on which we all agree, were bipartisan bills that had an average 124 Republicans voting for them and an average 168 Democrats voting for them. Both parties joined together to solve problems. That's what needs to happen.

And I will tell the gentleman, he can talk about confidence all he wants, talk about why the rating agencies downgraded us. There were a number of reasons. But the greatest reason was—and they articulated it, Standard & Poor's articulated it—they weren't confident that we could solve problems, and we're not doing that.

The gentleman continues to not want a balanced program. Every group, every group that I've seen or read about or talked to people about has said, you cannot get from where we are in the deep debt that was created in the last decade to where we need to be, a balanced fiscal and sustainable plan for America for the years to come, without addressing both the spending side and the revenue side.

The example I use is, we are selling a product, Mr. Leader, that many of us have voted for it, and you want to accommodate on the defense side, which costs $23, and we are pricing it at $15. No business in America or in the world could survive with that imbalance. We need to bring that in balance. And you're not going to get to the 15 percent of revenues that we're collecting, or now maybe 16 or 17 percent, simply by savaging either defense or non-defense spending or entitlements.

And so I would certainly hope, Mr. Leader, that we would come together. You and I have talked about this a lot. Every Member goes home and says how bipartisan we're going to be.

On our side, I will tell you, we are prepared. We understand there are going to be things that we have to do that we won't like. On your side there will be things to do that you won't like. That will be a compromise. That's the definition of a compromise. Our country needs it. Americans want it.

I would hope that we could, in the coming days, not only address the sequester, but address the need, over the next 10 years, to get this country back to balance where we were in 2000, where we had a balanced budget, the debt was coming down, and, in fact, some people were concerned that it was coming down too fast.

Mr. CANTOR. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Virginia.

Mr. CANTOR. I appreciate the gentleman's yielding, Mr. Speaker.

The gentleman loves to go back and talk about that period from 2001 to 2008 and the fact that there were too many tax cuts in place and without the control in spending.

Mr. HOYER. Can I just reclaim my time? Because my point, I'll tell the leader, is that we didn't pay for what we bought. We kept buying but we didn't pay.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I was saying that there were too many tax cuts in place. And I agree with the gentleman, Mr. Speaker, not on the fact that there were tax reductions and cuts in place, but the fact there wasn't a control on spending. And that is a problem here, Mr. Speaker.

But, ironically, the gentleman has consistently been in support of and just voted to extend 98 percent of those tax cuts. And so what we're saying right now is we've got to do something about the spending.

You just got $650 billion in tax increases, Mr. Speaker, over the course of the next 10 years through the fiscal cliff deal. And I, just prior, spoke about the imbalance this year, FY 2013, of the amount of new revenues versus the actual spending that is being projected to be reduced in this sequester.

I agree, let's get back to balance. Let's go ahead and increase the spending reductions. Washington does have that spending problem. The gentleman agrees.

So, again, I think it's unfair to say that there's just no agreement on the fact that we ought to go and reduce tax rates and taxes, because the gentleman supports doing that. So let's talk about balance.

And we've got the highest level of revenues. It's been reported that we have the highest level of revenues coming into the Federal Government this year, ever. And the gentleman does know, as well, the spending is out of proportion in terms of history, in terms of the percentage of GDP. So why can't we focus on that? We've got to get this economy growing.

And the gentleman is correct in saying the government needs to be adequately funded, but we've got to take a look at what we're funding. That's what we're talking about in replacing the sequester is prioritizing. What are the functions of government? And the sequester, it does cut spending, but we'd rather cut it in smarter ways.

□ 1230

Again, I hear the gentleman talked about he would like to be here on the floor passing bills. We would, too. Get the Senate to act. We have a bicameral process here, and the Senate has not acted.

The White House, the President hasn't even sent up his budget, Mr. Speaker. The President has that obligation at law and has not presented his budget to the House. The Senate refuses to do anything.

And what is the White House doing right now? The President has been going around the country campaigning for the past 2 months scaring people, creating havoc. That's supposed to be leadership? The President says to the Americans that their food is going to go uninspected and that our borders will be less patrolled and unsafe. His Cabinet Secretaries are holding press conferences and conducting TV interviews, making false claims about teacher layoffs.

I just feel that people ought to take a look and say, hey, these sequester spending levels—not the sequester, but the spending levels, and say, in 2009 was food not inspected? Because that's what the claim is, Mr. Speaker, that somehow if we were ever to reduce spending at all, we couldn't have food inspectors. Did we have any border patrol agents in 2009? Of course we did; of course we did. They will be funded at the same levels under the sequester. And that's our point: replacing the sequester with smart cuts.

But the other side, Mr. Speaker, the gentleman and his Caucus, won't join us in doing that, because all we hear again and again is: Raise taxes. And I have said, as the gentleman knows, we can't, in this town, be raising taxes every 3 months. That's just not the way we can get this economy back on track.

Did the FAA shut down in 2009? That's the claim. That's the claim that the President is saying: Shut down the FAA, stop air travel as we know it, or give us higher taxes. That's the false choice that this President and his administration are out there hawking. We can't have that. That's not leadership. Let's come together.

I agree with the gentleman. Let's stop the false choice, stop the games, and let's get it done.

Mr. HOYER. Mr. Speaker, the gentleman said a lot, and I could have a lot of comments on that, but I will say this. As long as the gentleman believes it's only us saying that we need a balanced program, he will oppose it because we are Democrats.

If the gentleman listens to independent advice all over this country, from all sorts of sources, Republicans

and Democrats, conservatives and liberals, they will say you need a balanced approach. We need to cut spending. We need to restrain spending and we need to balance the cost of what we provide with the income that we have. Every businessperson, small, medium, and large, understands that concept. We have not followed it, and we did not follow it in the last decade.

I regret the fact that the gentleman doesn't like the President going around the country and telling the truth saying what the consequences may well be. Now, are they going to be on March 1? No. But will they inevitably occur if the sequester stays in place? The answer to that I think is an emphatic, ''Yes.'' I think the President is going around the country saying these are the alternatives.

And saying that the Senate won't act or the President won't act—people did not elect me, I will tell you, to make the President act or to make the Senate act. They didn't think I could do that. What they did think I could do was make STENY HOYER act. And if I were the majority leader, they expected me to have the House act, even if people didn't agree with legislation I put on the floor. They expect us to do our job, not to cop out, with all due respect, to the fact that the President is not doing something or the Senate is not doing something.

We have a responsibility here in this Chamber, the people's House, as representatives of 435 districts, to do our job. And if the other folks don't do their job, we can lament that, we can criticize them, we can inform the American public of that, but we cannot say that's why we are not acting.

So I would hope that next week we would, in fact, act and bring legislation to the floor. And I would be, as the gentleman knows, my friend knows, I'm for a big deal. I'm for getting us to that $4 trillion that Simpson-Bowles recommended, because I think that would give real confidence to our economy, really grow businesses and put our country on a fiscally sustainable path.

I yield back the balance of my time.

ADJOURNMENT TO MONDAY, MARCH 4, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

PENNSYLVANIA SPECIAL OLYMPICS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize more than 20,000 individuals who represent the Pennsylvania Special Olympics.

The Special Olympics is about people helping people. It's a global movement that has flourished due to the commitment and passion of its local volunteers and the determination of its participants and athletes.

In March of each year, the Pennsylvania Special Olympics hosts more than 300 athletes and 100 coaches for the State Floor Hockey Tournament. This year's 2-day competition in team and individual skills floor hockey will be held at my alma mater, the Bald Eagle Area High School in Centre County, Pennsylvania, where I will have the opportunity to attend and lend a helping hand on Saturday, March 2.

I would like to commend the Pennsylvania Special Olympics for their years of hard work, from expanding an ever-growing volunteer base to providing more opportunity for athletes to develop physical fitness, courage, and the lifelong relationships that are gained as a result of these games.

I look forward to sharing these experiences with our local community and wish all of our participants the very best in this week's competitions.

SEQUESTRATION

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

Mr. PETERS of California. Mr. Speaker, the sequester is scheduled to go into effect in less than 24 hours, and I stand today to call out a particularly objectionable concept that this is not taking effect today, that this is going to somehow not affect people today, it's going to roll out over time; and that's just not the case. Because if you're a family who is facing layoffs or furloughs; or if you're an admiral or a general who is trying to figure out how to defend the country and you've got to be spending your time worrying about what jobs you're going to stop and who you're going to lay off; or if you're that scientist, that budding scientist, who is thinking about where are you going to do your science, whether it's here in a country that invests in science or abroad, someplace where it looks like you will get better opportunity, those impacts are happening today.

And that's why, today, we should not adjourn. We should be staying here, working on the sequester, avoiding these cuts. Let's stay at work and get this problem solved.

SEQUESTRATION

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

Ms. FOXX. Mr. Speaker, the President seems to think that the only way for us to replace the arbitrary spending cuts, known as the sequester—the sequester which the President's own operatives came up with—is to enact more tax increases. But should we really be talking about raising taxes when so many examples of government waste abound?

Do we need to spend $1.2 million to have the National Science Foundation pay people to play video games?

Do we need the EPA to give away over $100 million in grants to foreign countries like China?

Or what about bankrolling Tax TV? The IRS spends $4 million of our tax dollars every year to run its very own full-service television studio.

Instead of raising taxes, let's get serious about cutting waste. The House has acted to replace the sequester with commonsense cuts and reforms. It's time to see a serious plan from the President.

□ 1240

IT'S A BEAUTIFUL DAY IN WASHINGTON STATE

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

Mr. HECK of Washington. Mr. Speaker, it's a beautiful day back in my hometown of Olympia, Washington—of course it's raining cats and dogs, but that's what passes for beauty in our corner of the world.

It's a beautiful day at the Nisqually National Wildlife Refuge near Olympia, and it's a beautiful day at Mount Rainier National Park, which you can see from my neighborhood. But Mr. Speaker, if we don't replace sequestration, I'm worried about how many more beautiful days there are ahead.

If we don't replace sequestration, then some of the 7.5 million visitors who are scheduled to visit one of our 13 national parks aren't going to be able to. They have already announced that they are closing the Ohanapecosh Visitors Center at Mount Rainier. All of this because Congress can't—or won't—do its job.

Mr. Speaker, it is a beautiful day in Washington State, but I don't know for how long.

LAKELAND LINDER REGIONAL AIRPORT

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

Mr. ROSS. Mr. Speaker, I rise today to express my strong support for Lakeland Linder Regional Airport.

Unfortunately, with the pending sequester, the Federal Aviation Administration announced that they may close 238 control towers, including the tower at my local airport.

Lakeland Linder Regional Airport hosts the annual 6-day Sun 'n Fun fly-in that celebrates aviation and is the second-largest event of its kind in the world. This Sun 'n Fun fly-in is also the second largest convention in the State of Florida. It provides a $50 million economic impact to the region

each year. The potential closure of the tower is unacceptable.

As we know, President Obama initially proposed the sequester in 2011. I voted against its creation, and I voted twice to replace its arbitrary cuts. Americans deserve real solutions and genuine accountability. Improper payments by the Federal Government exceeded $115 billion in 2011. Surely, the President would be willing to address those improper payments before allowing the sequestration cuts to take place.

IMPACTS OF SEQUESTRATION

(Mrs. NEGRETE McLEOD asked and was given permission to address the House for 1 minute.)

Mrs. NEGRETE McLEOD. Mr. Speaker, I rise to bring awareness to the automatic trigger cuts—known as sequestration—and the impact they will have on domestic programs in California.

I thank my colleagues who voted today for a commonsense piece of legislation known as the Violence Against Women Act. This landmark legislation comes on the eve of looming budget cuts that will have devastating impacts on domestic violence preventive programs throughout California, which already operate on tight budgets.

The Obama administration estimates almost $1 million of funds that provide services to victims of domestic violence in California will be cut, resulting in 3,000 fewer victims being served. Although we have made significant strides towards safeguarding all women by passing this important bill, we must ensure that we continue to strengthen these programs by avoiding this sequester.

IT'S TIME TO GET SERIOUS

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

Mr. STUTZMAN. Mr. Speaker, President Obama's sequester will take effect tomorrow. Because of the President's irresponsibility of cutting just pennies of waste for every dollar Washington spends, the men and women of the 122nd Air National Guard in my district face furloughs. Across the globe, our national security will pay the price for Washington's failures.

How did this happen? It seems that during his Chicago-style campaigning, President Obama forgot that his primary responsibility is to serve as Commander in Chief. Today, instead of working to replace these security cuts with cuts to waste, President Obama and HARRY REID are trying to pass a tax hike in the Senate, a tax hike that the nonpartisan CBO says will increase our deficit for the next 2 years. It seems that instead of solving the problem, President Obama and his allies are only making it worse.

Mr. Speaker, it's time to get serious about the $3 billion we borrow every day and cut spending in a responsible way that saves the American Dream and keeps our national security strong.

SEQUESTRATION

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

Mr. LOWENTHAL. Mr. Speaker, unless we do something, Friday will be a day that none of us want to see but that very few of us seem to have the courage or conviction to prevent.

Today, we stand here with two options: devastating, meat-cleaver cuts or political courage.

Last week in my district I met with the leadership of the Los Alamitos Joint Forces Training Base. California military cuts of almost $70 million would put this base at risk.

Who are we talking about? These are our first responders, our firefighters, our citizen soldiers. These are the people that will be affected by sequestration.

If we must choose between cuts or political courage, I choose political courage. We must come together to do what is right.

I ask for a balanced approach to deficit reduction that eliminates sequestration. I support Congressman VAN HOLLEN's bill, H.R. 699, and I ask unanimous consent to bring this bill to the floor.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request unless it has been cleared by the bipartisan floor and committee leaderships.

TRIBAL PROVISIONS IN VAWA

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

Mr. SCHWEIKERT. Mr. Speaker, this is one of those moments where you come up here for 1 minute, and I wanted to share a certain frustration, particularly the votes we just had here in the House.

I come from Arizona. We have 22 tribal communities, 21 actual designated reservations. I lived almost my entire life alongside the Salt River Pima-Maricopa Indian community. It's a sophisticated tribe with wonderful outreach into the community. They've come light years in the last 10. They've done amazing things.

We have been working with that community and Congressman COLE's office trying to work on language that would work with them in VAWA, and yet Congressman COLE and Congressman ISSA were not allowed in the process to offer their amendments. That's of great frustration to me because there was months of months of labor and work put into that.

But there was also another irony here. I heard some folks on the right and a lot on the left talking about the self-determination court process within those tribal communities. Okay, great. Are we now ready to have this body step up and help our tribes in Arizona that are sophisticated manage their own finances and their own health care? Because they're asking for that self-determination.

SEQUESTER

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

Mr. O'ROURKE. Mr. Speaker, I rise today to give voice to the concerns I am hearing from my constituents and my community when it comes to the sequester.

El Pasoans are worried about cuts to public education, canceled flights, delays in processing Social Security and veterans' benefits, and fewer resources for law enforcement.

They are also worried about their jobs. For example, I represent 20,000 workers and their families who are going to be facing furloughs. We are concerned that wait times at our ports of entry will increase to 4 or 5 hours if the sequester happens and furloughs result in 7,000 fewer Customs and Border Protection officers. This undermines those employees and their families and the trade that supports nearly 100,000 jobs in the El Paso region.

Mr. Speaker, let's fix this. Let's vote on legislation that will replace the sequester with responsible cuts and revenues.

I ask unanimous consent to bring up H.R. 699.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

□ 1250

SEQUESTRATION

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

Mr. VEASEY. Mr. Speaker, I rise today to speak about the impending cuts to the Federal programs that are harmful to our national security, education system, transportation infrastructure, and economy. If we allow the sequester to take effect, Americans will see more teachers laid off in their neighborhood schools, indiscriminate cuts to special education, a loss of 4 million meals for seniors, and debilitating cuts to health care for military families.

The severe and arbitrary cuts caused by sequestration will go into effect tomorrow. Unless we vote on a resolution today, these cuts will deeply hurt the constituents that I represent in the north Texas Congressional District 33 and also citizens across the Nation.

I was not in Congress when sequestration was passed 2 years ago as part

of the Republican cut, cap and balance bill. There's still time to prevent these harmful, across-the-board spending cuts.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester that includes both spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained without appropriate clearance.

VIOLENCE AGAINST WOMEN ACT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to really applaud the House for renewing today the Violence Against Women Act. This will protect our citizens. It's important legislation. I had the privilege of helping to author the original one in 1994 with Patricia Schroeder, LOUISE SLAUGHTER, and JOE BIDEN; and we reauthorized it twice. I'm pleased that it passed today.

I was very pleased that the bill included two bills that I had authored, one the SAFER Act with Congressman POE, in a bipartisan way, that would process the DNA rape kits that are sitting on shelves across this country gathering dust and hopefully put rapists behind bars and protect women from future assaults from these particular rapists; and also the Campus Security Act, which would require campuses to keep statistics on violence on the campus and steps that they're taking to protect their citizens; also the Anti-Trafficking in Persons Act to crack down on sex trafficking.

It's an important bill. I applaud my colleagues for passing it.

SEQUESTRATION

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

Mr. GARCIA. Mr. Speaker, I rise to share my deep concern with my colleagues of what these dangerous sequestration cuts mean to my community.

I have the honor to represent the suburbs of Miami-Dade County and the Florida Keys. We are a community of middle class families, and my constituents will be hurt if the leadership of this Congress fails to act.

Here are a few examples: south Florida's economy depends on the flow of tourists. It is an engine which fuels us. If sequestration goes into effect, TSA and customs agents will be furloughed, passengers throughout the country will miss their connecting flights, and we will have fewer tourists and hurt business.

Up to 600 civilians who work in the Florida Keys Naval Base will be furloughed. This means less money for everyday needs in the economy of the Keys. Students on work-study programs at schools like Miami-Dade College and FIU will see their funding cut. The leadership of this Congress owes the American people an explanation of why we have gotten to this point.

There is a better alternative that will create jobs, and that is H.R. 699. I respectfully ask unanimous consent to bring up this balanced budget bill that replaces the sequester with balanced cuts.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained absent appropriate clearance.

APPOINTMENT AS MEMBER OF CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–239), and the order of the House of January 3, 2013, of the following individual on the part of the House to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise:

Ms. Heather Wilson, Albuquerque, New Mexico

APPOINTMENT OF MEMBERS TO BRITISH-AMERICAN INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276L, and the order of the House of January 3, 2013, of the following Members on the part of the House to the British-American Interparliamentary Group:

Mr. PETRI, Wisconsin
Mr. CRENSHAW, Florida
Mr. LATTA, Ohio
Mr. ADERHOLT, Alabama
Mr. WHITFIELD, Kentucky

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. SMITH, New Jersey, Co-Chairman

SEQUESTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 60 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, in this Chamber, we've heard over the last several days numerous speakers who have spoken quite eloquently about the impact of sequestration on their communities and their constituents across this country; and I daresay there are many Americans who have no idea what sequestration is. But they will come to know, Mr. Speaker, exactly what sequestration is when they figure out that of the range of programs and services that impact them and their communities, the Federal Government is taking a step backwards because of Republicans' failure to bring forward a balanced approach to dealing with our budget. In fact, we've just been moving from one crisis to the next crisis.

Today, in this House Chamber, we did something very special. We passed the reauthorization of the Violence Against Women Act, which was first passed in 1994 and had enjoyed bipartisan support up until recently. We ended up passing the Senate version of the Violence Against Women Act which, frankly, we could have done about a year and a half ago but for failure in this House Chamber.

In passing the Violence Against Women Act, we, on the one hand, provided for authorizing funds to support shelters, services, and programs for victims of domestic violence, many of them women, all across this country. And on the other hand, March 1 sequestration looms and, in fact, is happening, and we take away with one hand what we've provided with the other under the Violence Against Women Act that was just reauthorized today by a bipartisan vote with overwhelming support from Democrats. But tomorrow, $29 million will be cut from the very shelters and programs that we authorized today.

Six million women all across this country face domestic violence, and yet the programs and services that they depend on from the Federal Government will be ripped away in a sledgehammer approach—across-the-board cuts, arbitrary cuts to the budget beginning on March 1.

Workers and families all across this country have truly grown weary of watching this and past Congresses create and kick down the road fiscal disaster after fiscal disaster. Sequestration is going to rattle our very still-recovering economy and take an axe hammer to so many agencies and programs that are struggling to meet their work loads to deliver services for the American people.

□ 1300

Sequestration is estimated to lower the U.S. economic output by $287 billion.

In the Fourth Congressional District of Maryland that I have the privilege of representing in this Chamber, people are truly preparing for the drastic impact sequestration will have on them, their capacity to pay their bills and to meet their obligations.

These cuts are devastating, and today we're here to talk very specifically about the devastation to women

and children across this country, and specifically to women of the impact of sequestration. Whether that is the devastating cuts to the Women, Infants, and Children program that so many low-income women depend on; school nutrition programs in our Nation's schools; K–12 education; cuts to Head Start; cuts to serving children with disabilities; cuts to health care screenings like cancer, cervical cancer and breast cancer screenings that so many women rely on, and this at a time when we just discovered that, in fact, younger women are suffering from greater rates of breast cancer than ever before in our history, here we go slashing and burning a budget.

I don't like to use the term ''war on women,'' but, Mr. Speaker, as a woman, it sure feels like it. Sequestration definitely has that impact.

Joining me today, who I will yield to in just a few moments, is my good friend from New York, CAROLYN MALONEY, who has been quite a leader on a range of women's issues, and she knows clearly the devastating impact of sequestration on women.

Mrs. CAROLYN B. MALONEY of New York. I want to thank my colleague for leading this very important Special Order and to note two women's issues that will be introduced next week.

One is the women's museum. It will cost no extra money and will create a commission to put a women's museum on the Mall. We have it for postage stamps, flights. It should be there for half the population, and it is something, hopefully, we can move forward with in a bipartisan way.

Also, next week, I'm reintroducing the equal rights amendment. We really lag behind in the Western World in not having that important provision in our Constitution. But regrettably, this country has a habit of sweeping women's issues under the rug and ignoring them; and this meat cleaver approach through sequestration will disproportionately hurt women.

Tomorrow, $85 billion will be cut from our budget, sequestration will go into effect, and economists predict that over 700,000 jobs will be lost.

Chairman Bernanke testified yesterday before the Financial Services Committee that the sequester could make it harder to reduce the deficit, not easier. The whole purpose of sequestration is to reduce the deficit. But as he pointed out in his testimony—and I will quote him directly—he said that it would have ''adverse effects on jobs and incomes,'' and ''a slower recovery would lead to less actual deficit reduction.'' So here we are hearing from the head of the Federal Reserve and many economists that sequestration will literally hurt the deficit, hurt our economy, and hurt jobs.

Why can't we agree on a measured, balanced approach that targets certain areas such as tax loopholes? Why in the world are we giving tax deductions to companies that move jobs overseas? We should be giving tax incentives to people who create jobs in America, not those who move their companies and their jobs overseas. And why are we giving up to 40 percent subsidies to very profitable oil companies that are making profits? Why are we doing that when we are going to be turning around?

Because of sequestration, we'll be cutting teachers, which is the very investment that we need for the future. Teaching is one of the professions that is disproportionately headed by women. So disproportionately these cuts are not only going to hurt the future of our country, but women teachers and male teachers in our country.

I am particularly concerned in one area that my friend mentioned, and that's research. This country has invested in research, and it is one of the areas that has moved us out of our recessions with innovative ideas. But there are across-the-board cuts in research. NIH may face as much as 40 percent cuts. That's the National Institutes of Health.

Right now, 1 in 7 women contracts breast cancer. Because of the research in our great country, lives are being saved. There are 2 percent more lives saved each year because of new breakthroughs in breast cancer treatment. I venture to say there is not a person in this body or America who doesn't have a sister, a mother, a grandmother, or a friend who has not suffered from breast cancer. Yet the treatments, the research, the medical facilities that are there to help women confront this disease will be cut back in the sequestration.

Men also are contracting breast cancer. It is a disease that men are suffering from, and also prostate cancer, but the breakthrough in cures every year to save lives are going to be cut.

This past week, I had a meeting with some of the teaching hospitals in the district that I am privileged to represent, and they had a survivor there. His life had literally been saved with a new breakthrough in treatment and technology that they had developed while at Cornell. He testified that the doctors there with their new research had literally saved his life.

It is this lifesaving, cutting-edge research that we will be cutting away, along with many other important areas. Why are we passing the Violence Against Women Act and then turning around and cutting it dramatically with sequestration?

So I join my good friend from the great State of Maryland in really protesting sequestration. The approach doesn't work. Even Chairman Bernanke says it's wrong, wrongheaded, and will not help us reduce the deficit. And it particularly is disastrous to programs, research, and health care that impact women.

With that, I thank the gentlelady for organizing this Special Order.

Ms. EDWARDS. I want to thank the gentlewoman from New York. Thank you so much for your leadership.

You know both as a woman and a woman legislator what this impact is going to be to your communities in New York, and I know what they will be to mine in Maryland.

Sometimes, Mr. Speaker, we throw out these numbers, and most Americans have no idea what these numbers mean in real terms. From March 1, until the end of this fiscal year, we'll have to cut $85 billion with a wide range of impacts across this country. Women are going to be disproportionately impacted by these. And there is no other word, Mr. Speaker, for these absolutely senseless cuts.

It is as though as legislators we are brain dead when it comes to making decisions that impact people's lives. These deep cuts are going to slash vital investments in job training, in public health, in public safety and education and small business. We know that so many women are juggling multiple responsibilities. They are juggling the responsibilities of their homes and their families; the responsibilities of a job or running a business; the responsibilities of being active in their community and making sure that there's a quality of life for themselves and their children.

They're also doing this and operating at the absolute margin. It's really unfair and completely lacking in compassion to place this additional burden of sequestration on their already burdened households. Even worse, low-income women and women of color who are toiling in the fragile economy at the lowest-wage jobs are going to be hit the hardest by sequestration.

I want to highlight these cuts and the resulting fiscal instability that is in addition to the fact that we are already falling farther behind other Western World nations in providing employment protections, pay equity, sick leave, promoting child care services. These are all the things that particularly women have use of as caregivers.

□ 1310

Is this really the way, Mr. Speaker, that we see ourselves as leaders of the free world? I don't think so.

With that, I would like to yield to my good friend and colleague from Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE. Let me thank the gentlelady from Maryland and thank her for her leadership. This is a very important statement today because I was on the floor earlier this morning and said that we should not go home, that we should stay here. I'll say it again: We should not go home. We should stay here.

With all of the chatter of disagreement and accusations and blame games, what should be the message to the American people is, in fact, that we are committed to finding some form of common ground. Now, common ground is enormously challenging when there is no give from our Republican friends.

I do want to applaud the Congresswoman today in that the Violence

Against Women Act was passed because of Democrats' championing the right direction so that immigrant women, so that the LGBT community and so that Native Americans could be specifically covered, which, as a lawyer, is what the law is all about. Fuzzy legislation cannot work, but when you specifically designate in law the protection of these groups, then you have brought about a change. I say that only because I want to thank our Republican friends who voted for that ultimate Senate bill that was passed in a bipartisan way in the Senate and now in the House.

That should be an example of what we can do with regard to this dastardly act that is going to occur tomorrow—the sequester—which most Americans don't even understand. So I am delighted to join and to be able to be part of this Special Order, led by the gentlelady from Maryland, on explaining how vulnerable women can be impacted.

We did a good act today. Vulnerable women have been in the eye of the storm since this legislation was not reauthorized, and women's centers and shelters all over America were feeling the ax of the non-funding of the STOP grant, but today we made a difference. I want to make a difference in stopping the onslaught against women and children that the sequester will bring about, and I am going to use as an example the impact on a State like mine—the State of Texas—that has a diverse, if you will, congressional delegation, with more Republicans than Democrats. Frankly, the people of the State of Texas are not interested in what party we are; they simply want to find out why we can't come to the floor and vote to block the sequester and find common ground.

So, to my State of Texas, let me tell you what you will be facing, and why I want to say, stay and work, stay and work, and find some kind of common ground. In the alternative, all of us are willing to be called back this weekend. We're willing to be called back Friday night and Saturday morning. I want that to be on the record. We're willing to get back in a short order of time to come here and solve this problem.

Specifically, I have worked extensively with our teachers and schools and school districts:

$67.8 million for funding for primary and secondary education, putting 950 teachers' and aides' jobs at risk, meaning that they may ultimately be terminated. Those jobs are at risk in the State of Texas. 172,000 fewer students can be served in approximately 280 schools. That's not just in Houston; that's throughout Republican and Democratic districts in the State of Texas. That is shameful. Texas will lose approximately $50 million in funds for about 620 students and aides to help children with disabilities;

Work study jobs will impact our college students. 4,720 fewer low-income students will be able to have those jobs, and, of course, it will eliminate the opportunity to finance the cost of college to around 1,450 students, who will not get work study jobs;

Head Start. Many of my Head Start leaders advocated and asked me, as I was in Austin this past week, to stop the elimination of their funding. I will be meeting with those from AVANCE next week, approximately 4,800 students in Texas, on the reducing of access to critical early education;

Law enforcement. Part of the Violence Against Women Act specifically speaks to the question of helping the crime victims. When I had a gun briefing in Texas, I made sure that the victims of gun violence were in the room. What we'll be stopping is $1.1 million in what we call Justice Assistance Grants, which specifically deal with our crime victims;

This is an example of what will happen in America if you're looking for jobs and if you want assistance from the Federal Government. It's interesting how people make light that the Federal Government does nothing. My friends, the Federal Government is you. It is the tax dollars used wisely to ensure that it is a bridge, a complement, a collaborator with State government. So you will be losing in the State of Texas, for those of you who are searching for jobs—and you do it every day—some $2.2 million if this goes through.

Child care. Up to 2,300 disadvantaged and vulnerable children may lose their access to child care. That impacts women who go out every day, one possibly to look for a job but, more importantly, to go out to go to work. I hate the thought that 9,000 children will have a lack of access to vaccines. That's a mother's responsibility, that's a parent's responsibility to ensure her children are getting vaccines, and the public health system will collapse because of the lack of resources;

$1.1 million will be lost, in particular, for HIV tests, which is devastating among the African American community, particularly women. We have encouraged them now to get tested. We've tried to remove the stigma. When they go up to the door of the public health entity to get tested, you're going to tell me that there are a million less dollars and that the door will be closed? On the STOP Violence Against Women's program, which we'd now reauthorize, I'm sad to say that Texas could lose $543,000 and that 2,100 more victims will not have this.

Let me come to a close and look at it generically across America as I cite what Congresswoman EDWARDS just cited about small businesses, and I would indicate that, on a nationwide impact, two-thirds of all new jobs we know have come from small businesses. As I listened to the news this morning about a woman-owned business that does work with the Defense Department, she was being interviewed, and she said, about 5 days from now, she'll literally be shut down. So what we're talking about is losing $900 million across the Nation in helping small businesses. That is a travesty.

When we travel internationally, one thing we sort of look at is the question of food safety, and what we pride ourselves on here in the United States is that which stops disease and that which stops contamination. Well, my friends, 2,100 food inspectors for the Nation, who deal with helping to ensure the kind of safe food for our women and children, will be shut down. That means that billions in food production will be shut down. I heard a plant manufacturer, or a food manufacturer—a packaging company—say that it literally cannot do anything without a food inspector saying ''yes.''

Let me indicate something that is very close to my heart, and that is those who are needing mental health services. Do you realize, with the sequester, Congresswoman, that 373,000 mentally ill adults and seriously emotionally disturbed children will lose public services for their needs? That is a travesty, and asks the question: Why are we going home? Why don't we stay here and find the compromise that we did for the Violence Against Women Act?

Let me close on our work in dealing with homeland security. I am the ranking member on the Homeland Security Subcommittee on Border and Maritime Security. We have responsibilities with ranking member THOMPSON and our chairperson, who has noted in our hearings as recently as this week that we would lose some 2,750 Customs and Border Protection officers, CBP. Those are the individuals who allow goods to travel, to meet individuals at airports; and we would lose 5,000 Border Patrol officers at our borders, where we're talking about the question of border security.

Are we talking out of two sides of our mouths? Here we're making the argument that we want border security, and we're willing to allow 5,000 Border Patrol agents—willy-nilly—to just go away? We're allowing difficulties with the FAA and, as well, with TSA officers of whom some have critiqued. I serve on the Transportation Security Subcommittee. These officers every day face the trials and tribulations of ensuring safety on our airlines and airplanes, and we are telling them that we don't care about security? Right now, we've got a sequester and you're out, and we don't know how long the lines are. Frankly, the statement is being made by my Republican friends and leadership that they simply don't care.

We have an opportunity to work together. We can work with the Senate. We can work with the White House. We can understand the underpinnings of this whole debate, and that is: revenue and cuts. Why do I want revenue? Because I want for the money not to run out when the victims of Hurricane Sandy are desperate. That's why I want revenue.

□ 1320

I want the Head Start programs to be funded, and I want our military in a

balanced way to be funded. So I support the utilization of the Buffett rule that has been offered by the Senate, and aspects of many other proposals. They are out there, we can do it, and we can do it with the kind of grace and mercy and understanding of the needs of the American people, and protecting the middle class. And, as Congresswoman EDWARDS stated, we can do that with an eye on women, to make sure that women, many of whom are heads of households, do not face these devastating cuts that would literally shut them down, their small businesses, Head Start, teachers for their children's schools, to ensure that there is funding for the Violence Against Women Act.

I want to say thank you to Congresswoman EDWARDS for allowing us to have an opportunity to share our concerns today. I am pained by what we are saying today, but I am extending a hand of friendship to my friends on the other side of the aisle. Leadership can call us back. We are ready to be called back. We can huddle somewhere else. We can find a way to get consensus by email so that when we come back next week, we have an immediate vote because we have been willing to do so.

I'll close by saying I'm supporting Mr. CONYERS, who has offered an alternative that will be coming forward next week that ends the sequestration. I believe that is the way to go to allow us more time for debate and collaboration. I hope others will join us in supporting this legislation we're introducing today. I thank him for his leadership on that. I think that speaks to the fact that all Members, Congresswoman EDWARDS, are following the leadership of this Special Order, which is to protect women from this devastating impact of sequester. Thank you so very much for the opportunity to speak today.

Ms. EDWARDS. I want to thank the gentlelady, and especially to thank her for, Mr. Speaker, pointing out to us that in virtually everything that impacts our lives as Americans, and particularly impacts women, there is a devastating impact of sequestration on a whole range of things that, you know, most of us get up every day and don't even think about. But we will think about them beginning on March 1 because the services won't be there.

The gentlelady pointed out, as she was speaking and as others have as well, the devastating impacts to education. Just a few weeks ago, many of the people in this body, Republicans and Democrats, stood on their feet and cheered the President of the United States when he talked about the need to invest in early education, in Head Start, in making sure that our young people get started early in school so that they are prepared through their education years to take on the challenges of the 21st century. And yet here we are, just a couple of weeks after that great moment of a bipartisan show of support, ripping apart the very programs that the President talked about that are so important, Mr. Speaker, to the development of our children.

I would note that in my great State of Maryland, and Maryland has now been named the State with the number one schools in the Nation for the fifth year in a row. Well, we've been able to achieve those great heights in Maryland because of the commitment of our governor, because of the commitment of our legislators, and because of the commitment of the Federal Government, especially to some of our most vulnerable schools.

To our students who depend on investing in Head Start, to our students who are in some of our most vulnerable communities served by our title 1 schools, to the idea that we're going to educate all of our young people, even those with disabilities, so that they can achieve their greatest ability, and in Maryland we're going to see in fact very devastating cuts to the number one school system in the country—$5 million ripped out of Head Start; $14 million ripped out of our title 1 schools; $9 million, almost $10 million, taken out of funding our young people with disabilities, and that's a total of almost 300 jobs that will be lost as a result of these cuts. And that's in my small State of Maryland.

You know, we've heard from Members representing New York and Texas. Well, they're going to suffer even more devastating cuts. I would note, for example, in Texas, Texas will lose $51 million from education for children with disabilities. Texas will lose $67 million from their title 1 schools. And Head Start will lose to a tune of $30 million from Head Start. This is devastating for women and children, for their families.

But it doesn't end there, Mr. Speaker. Would that it would, but it doesn't end there. Sequestration, as I said, has a devastating impact and a disproportionate impact on women and children.

I would note that about 600,000 children and pregnant women are going to lose access to food and health care and nutrition education, including supplemental nutrition programs that are the difference between having a meal or a healthy meal, or not. The difference for a mother who, even as she is working every day, has the ability to make sure that there is a good meal on the table for her children. Six hundred thousand children and pregnant women will lose those benefits.

Let's look at child care. There's not a one of us, Mr. Speaker, who hasn't had children and had the need of child care. Now if you are a wealthy woman or if you have a high income, your needs may be very different. But for most of us who get up and go to work every day, we really do need child care assistance. About 30,000 children across the country who are in low-income families are going to lose essential Federal funding for child care services. That's about $121.5 million, Mr. Speaker.

Let's just look at the Centers for Disease Control. Twenty-five thousand low-income women—and this is according to thinkprogress.org so I'm not making it up. Americans across the country can go to thinkprogress.org, and what they can find is the same information that I'm sharing with you today. At the Centers for Disease Control, 25,000 low-income women who rely on the Centers for Disease Control for their breast cancer and cervical cancer screenings are just going to be lost. So there we will have a ripple effect through the health care system as these women, potentially with cancers that are curable, will not have those diagnosed in time.

In Army military construction of family housing where we have so many more female recruits who are in need of housing, they're going to lose about $424 million. How on one hand can we say that we support and honor those who serve and who are in uniform, but at the same time take away the kinds of things that would be supportive for our military families.

In the area of global health care—I mean, after all, these cuts apply not just to those of us in the United States but to the support that we provide for vulnerable communities around the world. There are 1.6 million women around the globe who rely on family planning services, and guess what? They're going to be turned away, too, Mr. Speaker.

We could go on and on, as we have. But the reality is that beginning on March 1, beginning tomorrow, America's women and children will see cuts to things that they had no idea about, and those cuts will be, in fact, devastating. And what are we doing here in this Chamber? We're going home for the weekend. Where else in America do you stop working, Mr. Speaker, after 3½ days, a couple of journal votes saying we approve of the business of the day, a couple of adjournment votes, a vote to rename a space center, and then devastating cuts to health care, to Head Start, to education, to food inspection, to all of the things that impact so many of our families. If it weren't true, if it weren't reality, it would seem like it was just a bad B movie, Mr. Speaker.

□ 1330

We can go through so many other impacts to our children, 70,000 children, Mr. Speaker, who are going to be cut from Head Start and Early Head Start programs. Sixty percent of these program recipients, 60 percent of those 70,000 children, are children of color.

And so I guess we're saying, Mr. Speaker, that we don't care about our Nation's children. We don't care that they go hungry. We don't care that they're not receiving adequate child care. We don't care that they're not getting the education that they need. Mr. Speaker, these across-the-board, arbitrary, senseless cuts just say to the rest of America, we don't care.

And you know what? I would love it if the blame were equally shared across the board, but the reality is that Republicans control this Chamber, and this Chamber could be gaveled in tomorrow morning, straight up, and stop this sequestration. That's what could happen, and that is what would make a difference to America's women and children.

You know, I would look to, Mr. Speaker, women and girls across this country and just share with them that no matter what their age, no matter, really, what their income, whether they're young children in school readiness programs or they're older women who rely on senior nutrition programs, things like Meals on Wheels, that these cuts will have an impact on them.

We've already talked, Mr. Speaker, about devastating impacts to education. Can you believe that 7,400 special education teachers, their aides and other staff servicing our vulnerable kids with disabilities are going to be laid off, 7,400 educators who will be laid off because we haven't provided the resources for them to serve our children with disabilities? It's pretty shameful, Mr. Speaker.

I'm thinking about the landmark Affordable Care Act, ObamaCare. You know, we did something very special, actually, in this Chamber when we passed ObamaCare. But the reality is that, because of these looming cuts, these cuts that will take place just hours, hours from now, Mr. Speaker, they're going to jeopardize critical health care services, prevention initiatives, medical research to help women lead healthier lives. These sequestration cuts will affect millions of women.

Four million dollars is going to be cut from the Safe Motherhood Initiative. Who knew that the Congress doesn't like motherhood? And so $4 million in cuts, Mr. Speaker, to the Safe Motherhood Initiative.

And what does that do? It helps prevent pregnancy-related deaths. In this great Nation, the leader of the free world, we still have pregnancy-related deaths, and the way that we've chosen to deal with that is through the Safe Motherhood Initiative. But, beginning on March 1, these devastating cuts will have an impact on that program.

In addition, 5 million fewer low-income families will be able to receive prenatal health care. And we know, those of us who've had children, know the importance of getting prenatal health care, know the importance of a successful pregnancy that goes to term. We know the importance of prenatal health care because it becomes a determinant of overall health care as that child is born. And yet, with these devastating cuts, these across-the-board cuts, these arbitrary cuts, these senseless cuts, 5 million fewer low-income families will receive prenatal health care. And this is particularly concerning, Mr. Speaker, and very serious, because two to three women die each year, each day, in fact, from complications as a result of pregnancy.

I don't know if you're aware of this, Mr. Speaker, but the fact is that the United States has an infant mortality rate that is twice as high as the rate of other wealthy nations. We're not a leader when it comes to prenatal health care. It is why we need the Motherhood Initiative.

Eight million dollars in cuts are going to go, Mr. Speaker, to breast and cervical cancer screening. That means that there will be 31,000 fewer cancer screenings for low-income women.

Now, I suppose we could just write these low-income women off the books. But you know what happens, Mr. Speaker? When they're diagnosed with cervical cancer or with breast cancer, they show up in the emergency room and they require even greater treatment, or worse, it becomes a mortality risk because they lose their lives, not because the cancer was not curable, but they lose their lives because the cancer was not diagnosed.

And yet here we are, Mr. Speaker, ready to exact $8 million in cuts that will prevent low-income women from receiving cervical cancer screenings and breast cancer screenings. That's not what a leader nation does, Mr. Speaker.

Now, we can recall very recently the very fierce battles to protect Title X family planning and reproductive health services. I will just remind the Speaker that sequester would cut $24 million from these lifesaving programs. That's right; $24 million that would be ripped out of Title X family planning and reproductive health services, lifesaving programs that provide care to low-income, uninsured and underinsured women, men, children, and families—$24 million. Our Nation really can't afford this.

And let's talk about research. The National Institutes of Health could lose as much as $1.5 billion in medical research funding. And that means there will be fewer research projects for treatments and cures for diseases like cancer, like diabetes, like Alzheimer's, like all of these diseases where we're right on the cusp of the kind of research that will make a tremendous difference, Mr. Speaker, in the lives of so many, and particularly a tremendous difference in the lives of women. But, oh, no, National Institutes of Health, on the chopping block March 1, losing up to $1.5 billion for medical research funding.

Women, Infants, and Children programs, something that's particularly important to me and to people in my community, to women and children in my community, $353 million, remind you, to begin, Mr. Speaker, on March 1; $353 million cut from the Women, Infants, and Children program.

And I'll tell you, Mr. Speaker, if you go to any State in this country, talk to your Governors. It doesn't matter whether you talk to a Republican Governor or to a Democratic Governor. Those Governors will tell you that the investment and the payoff for making investments in Women, Infants, and Children programs is enormous, that it results in great benefit, not just for the quality of lives of the women, infants, and children who are served by the WIC programs, but, really, to communities, enabling them, people, women, to go out and get an education, to get on their feet, to take care of their children.

These are really lifeline programs, and they're highly effective. And yet there's no sense to these cuts, and so we will end up cutting the most ineffective programs in the same way that we cut the most effective ones. That's what sequester means.

Let's look at unemployment benefits. Here we are, Mr. Speaker, really recovering from the devastation of the economy of the last 5 years, unemployment going down, but still the need for so many in this country for unemployment benefits. Now, I don't know, Mr. Speaker, about other people, but any of us who've ever received an unemployment check because of the misfortune of losing a job, it's not a big check, Mr. Speaker. And yet, even that small check, which is a fraction of what your income might have been were you working, even that check will face devastating cuts, and particularly to the long-term unemployed, to people who are out of work and who've been searching for a new job for at least 6 months, not because they don't want to work, Mr. Speaker, but because the economy is recovering and because work is hard to find.

□ 1340

And yet we rip apart 10 percent of their weekly jobless benefits if this sequester goes into effect. Maybe the 1 percent or the 2 percent out there can get away with not having 10 percent of their income. But the families that I know, the communities I come from, a 10 percent cut in an income is the difference between paying your electric bill and your water bill and your rent or your mortgage. A 10 percent cut. No one can afford that. And yet that's exactly what happens beginning on March 1 with this senseless sequester.

Child care assistance is going to be cut by $121 million. Child care. What great nation doesn't ensure child care for its nation's children so that moms and dads can go out and work and not have to worry about the care that their children are receiving? Worse yet, not have to worry about leaving young ones unattended because the choice is between going to work and staying at home because there's not quality child care available. Child care assistance cuts 30,000 children across this country who would lose essential Federal funding for child care.

And we've talked about the Violence Against Women Act. But I want to get specific because I spent a lot of years before I came into Congress working on these issues of violence against women, on domestic violence, on sexual assault, on stalking, trying to make sure

that the Federal Government meets its responsibilities for women. I've worked on a hotline. I've been in a shelter. I know what it means to provide those services. I know that when a woman calls and she's being abused and she's seeking help, that that phone call needs to be answered.

And yet, Mr. Speaker, we've passed the Violence Against Women Act and we're running the risk that because of these cuts in this sequester—because of these senseless cuts—that phone call from that woman in the middle of the night calling a shelter or a program or a hotline, that call won't be answered.

Who's going to take responsibility when that abuse results in the death of a woman or her children because we've not done the right thing in this Congress? That's what's at stake. And that is real and it is harm, Mr. Speaker, to this Nation's women. And so we passed the Violence Against Women Act, but you can be sure that what we gave with one hand, we took away with the other hand beginning on March 1 because of these devastating cuts to domestic violence shelters and programs and hotline services, to the law enforcement officials who need to be trained about issues of domestic violence so that they don't endanger themselves and so that they provide the kind of law enforcement assistance that's needed in every community across this country.

Mr. Speaker, you sit on that hotline and know that you can't pick up a call because the other phone is going unanswered. Because the other phone is going unanswered because the Congress hasn't done what we need to do to protect women and children and their families.

The Department of Justice estimates that the cuts to the Violence Against Women Act is going to mean that 35,927—and I want you to hear, Mr. Speaker, every single one of them—35,927 victims will be prevented from gaining access to shelter and to legal assistance and to services for themselves and for their children, every single one of them vulnerable because Republicans in this Congress, Mr. Speaker, have not done their job. The cuts are going to mean that domestic violence training is going to be eliminated for 34,000 police officers, prosecutors, judges, and victim advocates. This really is shameful, Mr. Speaker.

And for women who work and who own small businesses, the sequester is going to be a handicap as well. And we know that women work. Some of us work not because we want to. We work because we have to because we're partners in our families with our spouses, with our partners taking care of our families, taking care of our children, because we're women living on our own, because we're women as caregivers to other members of our family. That's why we work. We create businesses; and, thankfully, we've had the support of the Federal Government for women-owned small businesses, a really fast-growing sector.

But these contracts are in jeopardy, Mr. Speaker. In fact, contracts that have been won by women-owned businesses dropped 5.5 percent in fiscal year 2011; and the damage that they are facing now, the harm our vulnerable women-owned businesses are facing is even more devastating. The gender gap may reflect stiffer competition over a shrinking pool of contract revenue, but it may get worse for women as women face difficulty in winning a greater share of contracts in an era of these devastating spending cuts.

And that's according to Bloomberg. It's not made up by this Congresswoman from Maryland. It is what is happening in our economy, Mr. Speaker. Thousands of public sector jobs are going to be lost. That's on top of jobs that have already been lost, Mr. Speaker. And since women are 50 percent more likely than men to be employed in the public sector, just like education, these jobs are going to be cut and lost needlessly.

Mr. Speaker, I would like to think that my colleagues in this Congress have the ability to exercise common sense and rationality; but these cuts don't reflect common sense at all. In fact, they don't reflect much thought, in my view. When you say across the board, that would be like in your own family budget, when you know you have to tighten up the budget, rather than looking at where you're doing your spending and going with a scalpel to cut that wasteful spending—in my household, I would probably cut the coffee expenditures—but we're not doing that. We say we cut coffee just like we cut the mortgage. We cut coffee just like we cut the groceries. We cut coffee just like we cut buying school clothing.

But this is what is happening with the Federal budget. We're taking an ax or hammer to the entire budget. We're not looking at every single line and making strategic and thoughtful and important choices about what needs to stay and what needs to go. That's the danger here. And for women, the impact is really substantial.

Mr. Speaker, I'm going to close now, but I wish I were closing and saying I'll see you tomorrow. But, unfortunately, we won't be seeing each other tomorrow, Mr. Speaker, because when you gavel out this evening, Mr. Speaker, what you will know is that we've said sequester is going to go into effect. So what? Sequester is going to go into effect and we'll just come back next week and name a couple more buildings. But we won't deal with the real issues that are facing America's families, that are facing America's women.

And as I said before, I'm not particularly fond of the term, Mr. Speaker, ''war on women.'' But as a woman, when I know that there's a threat of not getting a cervical exam or a breast exam, when I know that as a woman there's a threat of not receiving family planning services, when I know as a woman that my children won't be able to go to a Head Start program or that if I have a child with a disability that that child won't receive the kind of education that he needs to get his or her fullest potential, when I know as a caregiver that a senior woman won't get Meals on Wheels, when I know that the important research that could lead to a cure for Alzheimer's isn't going to happen, Mr. Speaker, it may not be a war on women, but it feels like as women we are on the front line and we are taking all of the heavy-duty fire coming in.

And so I would urge you, Mr. Speaker, and I would urge my Republican colleagues to do as my colleague from Texas said: get back to work. Come back to work and let's do the business of the American people. Let's take up a truly fair and balanced approach to our Nation's fiscal problems. Let's make certain that we preserve and protect a social safety net for so many of our vulnerable families.

□ 1350

Let's make certain that we make the investments we need to make in education, in research and development, in small business so that we really can grow our economy, so that we, Mr. Speaker, together can create growth, but create growth by making great investments.

So, Mr. Speaker, I will close by just saying to you that I want to work with our colleagues on the other side of the aisle, but it does take two to tango. Unless we do that, women in this country are going to face the devastating impact of these budget cuts that go into effect on March 1.

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

VIOLENT MEDIA ROLE IN MASS SHOOTINGS

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

Mr. WOLF. Today, I rise as the father of five and the grandfather of 16—many of whom are of the age to play video games—to express my deep concerns about the lack of discussion on mental health issues and violent media and the role they play in mass shootings.

As we continue to seek ways to end mass violence, in addition to gun safety, we must address the impacts of mental illness and, of equal importance, violent video games, movies, and TV.

I have supported legislation that would keep guns from getting into the wrong hands. I voted for the Brady Bill in 1993, safety lock requirements, and provisions that help police conduct effective background checks. My father was a Philadelphia policeman.

As chairman of the House Appropriations subcommittee that funds the Justice Department, I have increased funding for the national background check

system to keep firearms out of the hands of the mentally ill and violent criminals. In fact, my bill provided more than double the funding requested by both the President's and the Senate's budget plan.

In January, I wrote to ask Attorney General Holder to use existing funds to immediately improve the Nation's background check system. In addition, I asked the Obama administration to create a national center for campus public safety, which has strong support from lawmakers on both sides of the aisle and the Virginia Tech Family Outreach Foundation, a group of families and victims of the shooting at Virginia Tech. In fact, the idea for my bill to create the national center for campus public safety came from the Virginia Tech families and lead cosponsor, Congressman BOBBY SCOTT from the State of Virginia. I'm expecting a response from the Justice Department soon. The shooter in the Virginia Tech massacre lived in my congressional district, and a number of the victims were from my district. I have met with their families, and I understand they are hurting.

Dealing with mental illness has to be part of the solution. I have long advocated for measures that prevent health insurers from placing discriminatory restrictions on mental health and addiction treatments. I continue to remain hopeful that the nearly 20 million Americans who suffer from mental illness receive the treatment they need.

Mr. Speaker, though, I was disappointed that President Obama did not seize the opportunity to address, in depth, the role of mental health and media violence as factors of mass violence during his State of the Union address. To only focus on guns, on just one piece of a very large and complicated puzzle, is simply irresponsible.

The President said that the victims of mass shootings, including Congresswoman Gabby Giffords, the college students at Virginia Tech, the children at Sandy Hook, the high school students at Columbine, and the movie-goers in Aurora, all deserve a vote for gun control proposals. How can he, in good conscience, call for that but not acknowledge the fact that each one of these shooters in these events was mentally disturbed? How could he not acknowledge the role that violent media played in some of their lives?

The President is failing the American people and the families of the victims by remaining frustratingly silent on these crucial issues and ignoring the other central factors related to mass violence of this kind.

As I mentioned, in a number of tragic shootings, there has been a pattern of the shooters playing or even imitating violent video games.

Let's begin with Anders Breivik, the Norwegian who shot 69 people at a youth camp in 2011. Forbes Magazine reported that Anders used the video game ''Call of Duty: Modern Warfare 2'' as a simulator to help him practice shooting people. Anders said:

> I just bought ''Modern Warfare 2,'' the game. It is probably the best military simulator out there, and it's one of the hottest games this year.

He goes on to say:

> I see ''Modern Warfare 2'' more as a part of my training-simulation than anything else. You can more or less completely simulate actual operations.

And who can forget that day at Columbine High School when Eric Harris and Dylan Klebold murdered 13 classmates and wounded 23 others before turning the guns on themselves? The Simon Wiesenthal Center, which tracks Internet hate groups, found in its archives a copy of Harris' Web site with a version of the first-person shooter video game ''Doom'' that he had customized. In Harris' version, there are two shooters, each with extra weapons and unlimited ammunition, and the other people in the game cannot fight back.

For a class project, Harris and Klebold made a videotape that was similar to their customized version of ''Doom.'' In the video, Harris and Klebold dress in trench coats, carry guns, and kill school athletes. They acted out their videotape performance in real life less than a year later.

An investigator at the Wiesenthal Center said Harris and Klebold were ''playing out their game in God mode.''

In another videotape, Harris referred to a sawed-off shotgun as ''Arlene,'' a favorite character in the ''Doom'' video game. Harris said, ''It's gonna be like (expletive) Doom.''

And now we have a report this month from the Hartford Courant that says that Sandy Hook shooter Adam Lanza may have been imitating violent video games as well. The Courant reports:

> During a search of the Lanza home after the deadly school shootings, police found thousands of dollars' worth of graphically violent video games.

The paper goes on to say:

> And detectives working the scene of the massacre are exploring whether Adam Lanza might have been emulating the shooting range or a video game scenario as he moved from room to room at Sandy Hook, spewing bullets, law enforcement sources have told the Courant.

Then he goes on to say, Mr. Speaker:

> Before he killed his mother and set off for Sandy Hook Elementary, Adam Lanza destroyed the hard drive on his computer, which probably kept some of the records of the games he played and who he played with. He also may have destroyed any chance to see if he had a manifesto or had written down anything indicating that he planned the shootings or why he chose the elementary school.

Let me repeat, Adam Lanza may have been emulating a video game shooter or scenario as he went room to room at Sandy Hook. What parent cannot see this problem?

This week, I had the opportunity to meet with a few elementary school principals from my congressional district. During the course of our discussion, the issue of media violence, particularly violent video games, came up. One principal said that when children misbehave in school and he asks them why, they will frequently say that they saw it in a video game. Another principal with him said the problem with video games is that, when young children are playing violent ones where they shoot or kill other characters, there are no repercussions or punishment, and usually the characters will even come back to life. This gives children and adolescents whose brains are still developing no sense of reality. He also said that video games desensitize kids to violence.

How can we continue to ignore what common sense is telling us? Just take one look at the movie trailers and how violent they are. Some of the video games on the market today like ''Call of Duty'' and ''Halo'' all give points for killing another character. Players are rewarded for shooting people. The level of violence in ''Grand Theft Auto'' is astonishing.

□ 1400

Players drive around, shoot people, including police officers, pick up prostitutes, and then kill them. There is a racial element to it also.

Soon after the Newtown shooting, I asked the National Science Foundation to pull together experts from across the country to look at the impact of all three contributors to mass violence. These experts include Dr. Brad Bushman from Ohio State University, along with several other scholars from top-tier universities across the Nation, including Johns Hopkins; Georgetown; Columbia University; University of Pennsylvania; Penn State; Carnegie Mellon; and the University of California, Berkeley. And we will have the list at the end of this statement. Earlier this month, the NSF released a report compiled by these experts whose names, as I said, will appear at the end of the statement.

It draws on reliable evidence and a number of theories to explain youth violence that have emerged from decades of research, including research supported by the National Science Foundation, the National Institutes of Health, the National Research Council, and other Federal agencies.

According to the report, violent video games increase aggressive thoughts, angry feelings, psychological arousal and aggressive behavior, and decrease helping behavior and feelings of empathy for others. The report compiled by these experts shows that rating systems have not kept up with the increasingly violent content of popular media, and there is no standard rating system in the U.S. across varying media platforms.

Dr. Bushman, who holds the Margaret Hall and Robert Randal Rinehart chair at Ohio State University and is widely respected in his field, offers a solution to this issue. There could be a universal rating system on all media, with universal symbols that are easy for parents to understand. The Pan European Game Information system, for

example, has five age-based ratings: 3-plus, 7-plus, 12-plus, 16-plus, and 18-plus; and six well-recognizable symbols for potentially objectionable material: violence, sex, drugs, discrimination, fear, and gambling.

The current rating system is confusing to parents. For example, there is R for movies, TV-MA for TV, and FV for fantasy violence in video games.

Another possible idea, which is something that I have long advocated for, is to put warning labels on violent video games. The report also quotes:

More research is also needed on what types of individuals are most strongly affected by violent video games. Many of the spree shooters have been described as ''social outcasts.'' Are such individuals more likely to behave aggressively after playing a violent video game? Are such individuals more likely to play violent games alone?

A copy of the National Science Foundation report can be found on my Web site at www.wolf.house.gov. Let me say that again, because parents might want to look at this, and hopefully the Members of the body on both sides will look at it, and hopefully members of the administration will look at it. A copy will appear at www.wolf.house.gov. And these are the views of these experts.

I am not naive enough to think that video game violence is the only issue here. We need to have an honest discussion about media violence, TV, movies, and video games. We need to have an honest discussion about mental health. And we need to have an honest discussion about guns.

It is easy for the President to go after the NRA. He doesn't support the NRA, and the NRA doesn't support him. But will the President of the United States ever, ever ask the entertainment industry to get involved or will he continue to be silent?

While media violence is not the only factor of mass violence, it is one of the easiest factors to change and it needs to be addressed, in addition to looking at access to firearms and mental health.

Don't we owe it to all the victims who have been killed to look at everything?

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

PARTICIPANTS OF THE SUBCOMMITTEE ON YOUTH VIOLENCE OF THE ADVISORY COMMITTEE TO THE SOCIAL, BEHAVIORAL AND ECONOMIC SCIENCES DIRECTORATE, NATIONAL SCIENCE FOUNDATION

Katherine S. Newman, Ph. D., Dean of Arts and Sciences, Professor of Sociology, Johns Hopkins University

Brad J. Bushman, Ph.D., Professor of Communication and Psychology, Margaret Hall and Robert Randal Rinehart Chair of Mass Communication, The Ohio State University and Professor of Communication Science, VU University, Amsterdam, the Netherlands

Sandra L. Calvert, Ph.D., Professor of Psychology and Director of the Children's Digital Media Center, Georgetown University

Geraldine Downey, Ph.D., Professor of Psychology and Dean of Social Sciences, Columbia University

Dan Romer, Ph.D., Director, Adolescent Communication Institute, Annenberg Public Policy Center, University of Pennsylvania

Calvin Morrill, Ph.D., Professor of Law and Sociology and Director, Center for the Study of Law and Society, University of California, Berkeley

Michael Gottfredson, Ph.D., President and Professor of Sociology, University of Oregon

Ann S. Masten, Ph.D., Irving B. Harris Professor of Child Development, Institute of Child Development, University of Minnesota

Mark Dredze, Ph.D., Assistant Research Professor of Computer Science, Johns Hopkins University

Daniel B. Neill, Ph.D., Associate Professor of Information Systems; Director, Event and Pattern Detection Laboratory, H.J. Heinz III College, Carnegie Mellon University

Daniel W. Webster, ScD, MPH, Professor and Director, Johns Hopkins Center for Gun Policy and Research

Nina G. Jablonski, Ph.D., Distinguished Professor of Anthropology, Pennsylvania State University

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until Monday, March 4, 2013, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

558. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0051; FV12-966-1 IR] received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

559. A letter from the Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stockpiling Act as amended (50 U.S.C. 98 et seq.) for FY 2012; to the Committee on Armed Services.

560. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Hospital Mortgage Insurance Program-Refinancing Hospital Loans [Docket No.: FR-5334-F-02] (RIN: 2502-A174) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

561. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Dubai Aerospace Enterprise (DAE) Limited of Dubai, United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

562. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Greenup, Illinois) [MB Docket No.: 12-225] (RM-11668) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

563. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Addition of South Sudan to the Restricted Destinations List [NRC-2012-0278] (RIN: 3150-AJ21) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

564. A letter from the Principle Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, Sleeping Bear Dunes National Lakeshore, Bicycling [NPS-SLBE-12083] [PPMWSLBES0-PPMPSPD1Z.YM0000] (RIN: 1024-AE11) received February 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

565. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report to Congress on the Refugee Resettlement Program for the period October 1, 2008 through September 30, 2009 as required by section 413(a) of the Immigration and Nationality Act, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WILSON of South Carolina (for himself, Mr. GRIFFITH of Virginia, Mr. JONES, and Mrs. LUMMIS):

H.R. 879. A bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Ms. SLAUGHTER, Ms. NORTON, Mr. SCOTT of Virginia, Mr. CAPUANO, Ms. PINGREE of Maine, Mr. MCGOVERN, Mr. CONYERS, Mr. HUFFMAN, Mr. GRIJALVA, Mr. WELCH, Ms. SCHAKOWSKY, Mrs. NAPOLITANO, Ms. EDWARDS, Mr. SARBANES, Mr. MICHAUD, Ms. BROWN of Florida, Mr. ELLISON, Ms. CHU, Ms. DELAURO, and Mr. BLUMENAUER):

H.R. 880. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. BOUSTANY, and Mr. ISSA):

H.R. 881. A bill to limit the use of cluster munitions; to the Committee on Armed Services.

By Mr. CHAFFETZ (for himself and Ms. SPEIER):

H.R. 882. A bill to prohibit the awarding of a contract or grant in excess of the simplified acquisition threshold unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has no seriously delinquent tax debts, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ (for himself, Mr. LATTA, and Mr. LABRADOR):

H.R. 883. A bill to amend title 38, United States Code, to permit certain veterans who were discharged or released from the Armed Forces by reason of service-connected disability to transfer benefits under the Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ:

H.R. 884. A bill to require Members of Congress to disclose delinquent tax liability and to require an ethics inquiry into, and the garnishment of the wages of, a Member with Federal tax liability; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. CASTRO of Texas, Mr. GALLEGO, Mr. CUELLAR, and Mr. SMITH of Texas):

H.R. 885. A bill to expand the boundary of San Antonio Missions National Historical Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Natural Resources.

By Mr. GERLACH (for himself and Mr. KIND):

H.R. 886. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. POMPEO (for himself, Mr. CHABOT, Mr. MCCLINTOCK, Mr. LAMBORN, Mr. WESTMORELAND, Mr. AMASH, Mr. SCALISE, Mr. KLINE, and Mr. BENTIVOLIO):

H.R. 887. A bill to terminate the Economic Development Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO (for himself, Mr. MATHESON, Mr. LONG, and Mr. LATTA):

H.R. 888. A bill to amend section 112(r) of the Clean Air Act (relating to prevention of accidental releases); to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself, Ms. ESHOO, Ms. MATSUI, and Mr. HONDA):

H.R. 889. A bill to combat trade barriers that threaten the maintenance of an open Internet, that mandate unique technology standards as a condition of market access and related measures, and to promote online free expression and the free flow of information; to the Committee on Ways and Means, and in addition to the Committees on Foreign Affairs, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. KLINE, Mr. SCALISE, and Mr. SOUTHERLAND):

H.R. 890. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana:

H.R. 891. A bill to establish a grant program in the Bureau of Consumer Financial Protection to fund the establishment of centers of excellence to support research, development and planning, implementation, and evaluation of effective programs in financial literacy education for young people and families ages 8 through 24 years old, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself and Mr. KIND):

H.R. 892. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN):

H.R. 893. A bill to provide for the imposition of sanctions with respect to foreign persons who transfer to or acquire from Iran, North Korea, or Syria certain goods, services, or technology that contribute to the proliferation activities of Iran, North Korea, or Syria, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, the Judiciary, Science, Space, and Technology, Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio (for himself, Mr. STIVERS, Ms. TITUS, and Mr. ROE of Tennessee):

H.R. 894. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. SERRANO, Mr. NADLER, Ms. LEE of California, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. RANGEL, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Ms. HAHN, Ms. SEWELL of Alabama, Mr. RUSH, Ms. CLARKE, Mr. JOHNSON of Georgia, Ms. LINDA T. SÁNCHEZ of California, Mr. BLUMENAUER, Mr. COHEN, Mr. ELLISON, Mr. HONDA, Mr. LEWIS, Mr. CLAY, Mrs. BEATTY, and Mr. CUMMINGS):

H.R. 895. A bill to provide for an effective HIV/AIDS program in Federal prisons; to the Committee on the Judiciary.

By Mr. ENGEL:

H.R. 896. A bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives; to the Committee on Energy and Commerce.

By Ms. HAHN (for herself and Mr. RUNYAN):

H.R. 897. A bill to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. LIPINSKI):

H.R. 898. A bill to authorize appropriations for fiscal years 2014 through 2017 for the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself, Mr. LANKFORD, Ms. LORETTA SANCHEZ of California, Mr. PETERSON, and Mr. MCINTYRE):

H.R. 899. A bill to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Ms. JACKSON LEE, Ms. WILSON of Florida, and Mr. GRAYSON):

H.R. 900. A bill to eliminate the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, and for other purposes; to the Committee on the Budget.

By Ms. JENKINS:

H.R. 901. 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; to the Committee on Ways and Means.

By Mr. BOUSTANY (for himself, Mr. PIERLUISI, Ms. HANABUSA, Mr. SMITH of New Jersey, and Ms. DELAURO):

H.R. 902. A bill to authorize certain Department of Veterans Affairs major medical facility leases, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOUSTANY (for himself, Mr. TIBERI, Mr. BARROW of Georgia, and Mrs. BLACK):

H.R. 903. A bill to amend the Internal Revenue Code of 1986 to repeal the employer health insurance mandate; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself and Ms. ROS-LEHTINEN):

H.R. 904. A bill to establish a common fund to pay claims to the Americans held hostage in Iran, and to members of their families, who are identified as class members in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY:

H.R. 905. A bill to amend the Internal Revenue Code of 1986 to make the research credit permanent and to increase the alternative simplified research credit; to the Committee on Ways and Means.

By Mr. CARTER (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. POE of Texas, Mr. BLUMENAUER, and Mr. SMITH of New Jersey):

H.R. 906. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for improvements under the Edward Byrne Memorial Justice Assistance Grant Program to reduce racial and ethnic disparities in the criminal justice system.amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. CONNOLLY (for himself and Mr. MORAN):

H.R. 907. A bill to authorize project development for projects to extend Metrorail service in Northern Virginia, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DELBENE (for herself and Mr. LARSEN of Washington):

H.R. 908. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest; to the Committee on Natural Resources.

By Mr. FINCHER:

H.R. 909. A bill to amend title IV of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

By Mr. FLEMING:

H.R. 910. A bill to reauthorize the Sikes Act; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 911. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Ms. HANABUSA (for herself, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. SABLAN, and Ms. GABBARD):

H.R. 912. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida (for himself and Mr. DIAZ-BALART):

H.R. 913. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Transportation and Infrastructure.

By Mr. HUELSKAMP (for himself, Mr. KING of Iowa, Mr. WALBERG, Mrs. HARTZLER, Mr. LAMALFA, Mr. JORDAN, and Mr. GOHMERT):

H.R. 914. A bill to amend title 10, United States Code, to require that implementation of the repeal of the former Department of Defense policy concerning homosexual behavior in the Armed Forces not infringe upon the free exercise of religion by and the rights of conscience of members of the Armed Forces, including chaplains, and for other purposes; to the Committee on Armed Services.

By Mr. KENNEDY (for himself, Mr. FARR, Mr. GARAMENDI, Mr. HONDA, and Mr. PETRI):

H.R. 915. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. BISHOP of Utah):

H.R. 916. A bill to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of Iowa (for himself, Mr. CHAFFETZ, Ms. LOFGREN, and Mr. DEUTCH):

H.R. 917. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Ms. MCCOLLUM, Ms. NORTON, Mr. CONNOLLY, Ms. MOORE, Mr. HASTINGS of Florida, Mr. HONDA, Mr. GARAMENDI, and Mr. FARR):

H.R. 918. A bill to provide for the issuance of a semipostal to benefit the Peace Corps; to the Committee on Oversight and Government Reform, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK:

H.R. 919. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MCMORRIS RODGERS (for herself, Ms. CASTOR of Florida, Mr. GUTHRIE, Mr. WELCH, Mr. CASSIDY, and Mr. BRALEY of Iowa):

H.R. 920. A bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICHAUD:

H.R. 921. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services; to the Committee on Veterans' Affairs.

By Mr. MICHAUD (for himself, Ms. PINGREE of Maine, Mr. WELCH, Ms. SHEA-PORTER, and Mr. OWENS):

H.R. 922. A bill to amend title 40, United States Code, to extend the authorization of the Northern Border Regional Commission, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 923. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for direct-to-consumer advertisements of prescription drugs; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. LOBIONDO, and Mr. CARNEY):

H.R. 924. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Ways and Means.

By Mr. PERRY (for himself, Ms. MENG, Mr. CASTRO of Texas, Mr. COLLINS of Georgia, Mr. COOK, Mr. ENGEL, Mr. MCCAUL, Mr. MEEKS, Mr. RADEL, Mr. ROYCE, Mr. SALMON, Mr. VARGAS, and Mr. YOHO):

H.R. 925. A bill to amend the Diplomatic Security Act to revise the provisions relating to personnel recommendations of the Accountability Review Board under such Act; to the Committee on Foreign Affairs.

By Mr. PETRI (for himself, Mr. DUNCAN of Tennessee, Mr. JONES, and Mr. GRIMM):

H.R. 926. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain return information related to identity theft, and for other purposes; to the Committee on Ways and Means.

By Mr. POSEY (for himself, Ms. WATERS, Mr. WESTMORELAND, and Mr. JONES):

H.R. 927. A bill to permit certain current loans that would otherwise be treated as non-accrual loans as accrual loans, and for other purposes; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. FARR, Ms. LEE of California, Mr. GEORGE MILLER of California, and Ms. PINGREE of Maine):

H.R. 928. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 929. A bill to provide Federal contracting preferences for, and a reduction in the rate of income tax imposed on, Patriot corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHOCK (for himself, Mr. CLAY, Mr. MEEKS, Mr. QUIGLEY, Mr. KINZINGER of Illinois, Mr. RODNEY DAVIS of Illinois, Mr. CARSON of Indiana, and Mr. THOMPSON of Mississippi):

H.R. 930. A bill to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHRADER:

H.R. 931. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Ms. ROS-LEHTINEN, Ms. LEE of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 932. A bill to amend the Immigration and Nationality Act to protect the well-being of soldiers and their families, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. CLAY, Mr. COFFMAN, Mr. COHEN, Mr. COTTON, Mr. DIAZ-BALART, Mr. FALEOMAVAEGA, Mr. HIGGINS, Mr. MCCLINTOCK, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. DAVID SCOTT of Georgia, Mr. SHERMAN, and Mr. WESTMORELAND):

H. Res. 89. A resolution condemning the attack on Iranian dissidents living at Camp Hurriya, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MCGOVERN (for himself, Ms. FUDGE, Ms. DELAURO, Mr. GEORGE MILLER of California, and Mr. DEUTCH):

H. Res. 90. A resolution expressing the sense of the House of Representatives that

the Committee on Agriculture should not propose any reduction in the availability or amount of benefits provided under the supplemental nutrition assistance program (SNAP) in effect under the Food and Nutrition Act of 2008, and that the House of Representatives should reject any proposed legislation that includes any provisions that reduce the availability or amount of benefits provided under SNAP; to the Committee on Agriculture.

By Mr. CARSON of Indiana (for himself, Mr. BURGESS, Mr. CARTWRIGHT, Mr. CASSIDY, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. CROWLEY, Mr. HOLT, Mr. LANCE, Ms. LEE of California, Mr. LEVIN, Ms. NORTON, Ms. SPEIER, and Ms. WASSERMAN SCHULTZ):

H. Res. 91. A resolution expressing support for designation of February 28, 2013, as Rare Disease Day; to the Committee on Energy and Commerce.

By Mr. RODNEY DAVIS of Illinois (for himself and Mrs. DAVIS of California):

H. Res. 92. A resolution encouraging people in the United States to recognize March 1, 2013, as Read Across America Day; to the Committee on Education and the Workforce.

By Mr. LEWIS (for himself and Ms. MOORE):

H. Res. 93. A resolution expressing support for designation of the month of February 2013 as ''National Teen Dating Violence Awareness and Prevention Month''; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H. Res. 94. A resolution expressing the sense of the House of Representatives regarding women's health and economic security; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

2. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 86 expressing strong opposition to the United States Supreme Court ruling in Citizens United v. Federal Election Commission; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WILSON of South Carolina:

H.R. 879.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution

By Mr. DEFAZIO:

H.R. 880.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MCGOVERN:

H.R. 881.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (to provide for the common Defense and general Welfare); Article I, Section 8, Clause 14 (to make Rules for the government and regulation of the land and naval Forces); and Article I, Section 8, Clause 18 (to make laws necessary and proper . . . in the Government of the United States or in any Department or Officer thereof).

By Mr. CHAFFETZ:

H.R. 882.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2 of Section 8 of Article I, To borrow Money on the credit of the United States;

Clause 18 of Section 8 of Article I, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 883.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I, To make Rules for the Government and Regulation of the land and naval Forces;

Clause 18 of Section 8 of Article I, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 884.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I, To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18 of Section 8 of Article I, To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. DOGGETT:

H.R. 885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. GERLACH:

H.R. 886.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. POMPEO:

H.R. 887.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. POMPEO:

H.R. 888.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. LOFGREN:

H.R. 889.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. CAMP:

H.R. 890.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. CARSON of Indiana:

H.R. 891.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I of the Constitution.

By Mr. REICHERT:

H.R. 892.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution

By Ms. ROS-LEHTINEN:

H.R. 893.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. JOHNSON of Ohio:

H.R. 894.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. WATERS:

H.R. 895.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the U.S. Constitution,

Article 1, Section 8, Clause 18 of the U.S. Constitution, and

Amendment VIII to the U.S. Constitution.

By Mr. ENGEL:

H.R. 896.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1

By Ms. HAHN:

H.R. 897.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. SMITH of New Jersey:

H.R. 898.

Congress has the power to enact this legislation pursuant to the following:

article 1, section 8 of the Constitution

By Ms. FOXX:

H.R. 899.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CONYERS:

H.R. 900.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. JENKINS:

H.R. 901.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BOUSTANY:

H.R. 902.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 903.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. BRALEY of Iowa:

H.R. 904.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:

H.R. 905.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution

By Mr. CARTER:

H.R. 906.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CONNOLLY:

H.R. 907.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. DELBENE:

H.R. 908.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution:

The Congress shall have power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FINCHER:

H.R. 909.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. FLEMING:

H.R. 910.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. GOSAR:

H.R. 911.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3.

''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Ms. HANABUSA:

H.R. 912.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3: ''The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. HASTINGS of Florida:

H.R. 913.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but not limited to Clause 3 of Section 8 of Article 1.

By Mr. HUELSKAMP:

H.R. 914.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 14, which grants Congress the power to ''make Rules for the Government and Regulation of land and naval Forces,''; Article 1, Section 8, Clause 16, which grants Congress the power to ''provide for the organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States''; and the ''free exercise'' clause of the First Amendment to the Constitution, which ensures the right to freely exercise one's religion.

By Mr. KENNEDY:

H.R. 915.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8; Article IV, Section 3.

By Mr. KIND:

H.R. 916.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. KING of Iowa:

H.R. 917.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to constitute tribunals inferior to the Supreme Court under Article I, Section 8, of the United States Constitution.

By Ms. LEE of California:

H.R. 918.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LOEBSACK:

H.R. 919.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution

By Mrs. McMORRIS RODGERS:

H.R. 920.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. MICHAUD:

H.R. 921.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MICHAUD:

H.R. 922.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. NADLER:

H.R. 923.

Congress has the power to enact this legislation pursuant to the following:

Art. I, sec. 8, cl.1.

Art. I, sec. 8, cl.3.

Art. I, sec. 8, cl.18.

By Mr. PASCRELL:

H.R. 924.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PERRY:

H.R. 925.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. PETRI:

H.R. 926.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 which, in part, states: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, . . . and the Sixteenth Amendment which states: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. POSEY:

H.R. 927.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. SCHAKOWSKY:

H.R. 928.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SCHAKOWSKY:

H.R. 929.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. SCHOCK:

H.R. 930.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the United States Constitution.

By Mr. SCHRADER:

H.R. 931.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 932.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. MEEHAN, Mr. WENSTRUP, Mr. JORDAN, Mr. GRIMM, Ms. JENKINS, and Mr. TIPTON.

H.R. 50: Mr. MCNERNEY, Mr. VEASEY, and Mr. POCAN.
H.R. 106: Mr. YOUNG of Florida and Mr. TIPTON.
H.R. 125: Mr. MCGOVERN.
H.R. 129: Mr. CONYERS, Mr. BRADY of Pennsylvania, and Mrs. CHRISTENSEN.
H.R. 137: Mr. SHERMAN.
H.R. 141: Mr. SHERMAN.
H.R. 151: Mr. WITTMAN.
H.R. 163: Mr. DINGELL.
H.R. 164: Mr. LUETKEMEYER, Mr. LABRADOR, and Mr. WALDEN.
H.R. 176: Mr. WOMACK, Mr. CRAWFORD, Mr. KING of Iowa, Mr. NEUGEBAUER, Mr. AUSTIN SCOTT of Georgia, Mr. FINCHER, Mr. ROE of Tennessee, Mr. KINGSTON, Mr. WESTMORELAND, Mr. HARRIS, Mr. ROSKAM, Mr. BOUSTANY, Mr. COTTON, and Mr. NUGENT.
H.R. 185: Mr. BRADY of Texas, Mr. CULBERSON, Mr. SMITH of Texas, Mr. CUELLAR, Mr. DOGGETT, Mr. GOHMERT, Mr. HENSARLING, Mr. BARTON, Mr. AL GREEN of Texas, Mr. MCCAUL, Mr. CONAWAY, Mr. THORNBERRY, Mr. WEBER of Texas, Mr. FLORES, Mr. NEUGEBAUER, Mr. MARCHANT, Mr. WILLIAMS, Mr. FARENTHOLD, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARTER, and Mr. STOCKMAN.
H.R. 232: Mr. THOMPSON of Mississippi.
H.R. 239: Mr. LONG.
H.R. 258: Mr. TONKO, Mr. LOBIONDO, Mr. PAULSEN, Mr. HALL, Mr. LABRADOR, and Mr. REED.
H.R. 278: Mr. SWALWELL of California.
H.R. 301: Ms. CHU.
H.R. 330: Mr. WITTMAN and Mr. GRIFFIN of Arkansas.
H.R. 331: Mr. HONDA, Mr. HUNTER, and Mr. PETERS of California.
H.R. 335: Mr. PETRI and Mr. LUETKEMEYER.
H.R. 341: Ms. NORTON.
H.R. 354: Mr. ANDREWS and Mr. GINGREY of Georgia.
H.R. 366: Mr. YOHO and Mr. SMITH of Texas.
H.R. 416: Mr. RADEL.
H.R. 432: Mr. HECK of Nevada.
H.R. 446: Mr. ANDREWS.
H.R. 454: Mr. DOYLE.
H.R. 482: Mr. CICILLINE.
H.R. 485: Mr. FALEOMAVAEGA.
H.R. 506: Ms. SHEA-PORTER.
H.R. 507: Mr. SCHWEIKERT.
H.R. 517: Mr. LANGEVIN.
H.R. 519: Mr. VEASEY, Mr. AL GREEN of Texas, Mr. YARMUTH, Mr. WELCH, Mr. CÁRDENAS, Mr. BISHOP of New York, and Ms. CASTOR of Florida.
H.R. 523: Mr. COLLINS of Georgia and Mr. SMITH of Texas.
H.R. 530: Ms. MENG.
H.R. 531: Mr. DEUTCH.
H.R. 532: Mr. QUIGLEY, Mr. MCNERNEY, and Ms. VELÁZQUEZ.
H.R. 544: Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. STEWART, and Mr. STOCKMAN.
H.R. 558: Mr. ANDREWS, Mr. PETRI, Mr. CARTWRIGHT, Mrs. MILLER of Michigan, Mr. JOHNSON of Ohio, Mr. COLLINS of New York, and Mr. MCINTYRE.
H.R. 563: Mr. PRICE of North Carolina.
H.R. 568: Mr. MEADOWS.
H.R. 569: Mr. WALZ.
H.R. 570: Mr. WALZ.
H.R. 578: Mr. GRAVES of Georgia.
H.R. 582: Mr. STOCKMAN, Mr. BILIRAKIS, and Mr. LUETKEMEYER.
H.R. 595: Mrs. BEATTY, Mr. THOMPSON of Mississippi, Mr. DANNY K. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. DAVID SCOTT of Georgia, Mr. CLAY, Mr. RICHMOND, Ms. MOORE, Mr. RANGEL, Ms. SEWELL of Alabama, Mr. FATTAH, Mr. HORSFORD, and Ms. JACKSON LEE.
H.R. 597: Mr. MORAN.
H.R. 609: Ms. ESHOO.
H.R. 612: Mr. PETERSON.
H.R. 621: Mr. ROSS and Mr. MCCAUL.
H.R. 627: Mr. MCINTYRE, Mr. PEARCE, Mrs. CAPITO, Mr. NOLAN, Mr. BLUMENAUER, Mr. PETRI, Mr. SHIMKUS, Mr. KELLY, Mr. BARLETTA, Mr. MARINO, Mr. GUTHRIE, Mr. HALL, Mr. SENSENBRENNER, Mr. KINZINGER of Illinois, Mr. THOMPSON of Pennsylvania, and Mr. BUCSHON.
H.R. 628: Ms. BONAMICI, Mr. LEVIN, Ms. MENG, and Ms. TSONGAS.
H.R. 630: Mr. ANDREWS, Mr. MARKEY, Mr. HIGGINS, Mr. VISCLOSKY, Ms. LOFGREN, Ms. BROWNLEY of California, Mr. MAFFEI, Mr. ELLISON, and Mr. MCNERNEY.
H.R. 637: Mr. JORDAN and Mr. LONG.
H.R. 654: Mr. SMITH of Nebraska.
H.R. 671: Mr. JONES.
H.R. 673: Mr. OLSON.
H.R. 688: Mr. BENTIVOLIO and Mrs. MILLER of Michigan.
H.R. 693: Mr. ANDREWS.
H.R. 728: Mr. SWALWELL of California.
H.R. 745: Ms. CASTOR of Florida, Mr. BEN RAY LUJÁN of New Mexico, and Mr. LOWENTHAL.
H.R. 749: Ms. HANABUSA, Mr. SENSENBRENNER, Mr. GRAVES of Georgia, Mr. SCHOCK, and Mr. ROSS.
H.R. 755: Mr. RAHALL, Mr. GOHMERT, Mr. MATHESON, Mr. SCOTT of Virginia, Mr. MCGOVERN, Mr. BUCHANAN, Mr. CONNOLLY, Mr. BISHOP of Utah, Mr. HIMES, Mr. LAMBORN, Mrs. NOEM, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. MULLIN, and Mr. LOEBSACK.
H.R. 760: Mr. JONES, Mr. PEARCE, Mr. LAMALFA, Mr. DESANTIS, Mr. STEWART, Mr. YOHO, Mrs. LUMMIS, Mr. GARRETT, and Mr. STUTZMAN.
H.R. 761: Mr. COFFMAN, Mr. AUSTIN SCOTT of Georgia, Mr. MCCLINTOCK, Mr. FINCHER, Mr. GRAVES of Georgia, Mrs. LUMMIS, Mr. SOUTHERLAND, Mr. SCHOCK, and Mr. FLORES.
H.R. 763: Mr. COFFMAN and Mr. ROSS.
H.R. 786: Mr. PASCRELL.
H.R. 792: Mr. ROSS.
H.R. 807: Mr. HALL, Mr. RIBBLE, Mr. CHABOT, Mr. CONAWAY, Mr. FLORES, Mrs. WAGNER, Mr. WILSON of South Carolina, Mr. POMPEO, Mr. WALBERG, Mr. BROOKS of Alabama, and Mr. FLEISCHMANN.
H.R. 811: Ms. MENG.
H.R. 812: Mrs. CAPPS, Ms. CASTOR of Florida, Mr. RANGEL, Mr. YARMUTH, and Mr. MCNERNEY.
H.R. 816: Mr. PETERSON and Mr. CONAWAY.
H.R. 824: Mr. BARTON, Mr. HUELSKAMP, Mr. PRICE of Georgia, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. CHABOT, Mr. FLEMING, Mr. YODER, Mr. LAMALFA, and Mr. DUNCAN of South Carolina.
H.R. 828: Mr. CHABOT, Mr. KING of Iowa, Mr. MEADOWS, Mr. LONG, and Mr. GRAVES of Georgia.
H.R. 841: Mr. DEFAZIO, Mr. BLUMENAUER, and Ms. BONAMICI.
H.R. 847: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCHIFF, Mrs. CAROLYN B. MALONEY of New York, Mr. SMITH of Washington, Mr. PIERLUISI, Mr. COFFMAN, Ms. SCHWARTZ, Ms. PINGREE of Maine, Ms. LEE of California, Mr. COOPER, Mr. CICILLINE, Mr. HANNA, Ms. MCCOLLUM, Ms. NORTON, Mr. BLUMENAUER, Mr. HIMES, Mr. LEVIN, Mr. HASTINGS of Florida, Mr. BRALEY of Iowa, Mrs. DAVIS of California, Mr. BUCHANAN, Mr. LANGEVIN, Mr. CONNOLLY, Mr. WAXMAN, Mr. GRIMM, Mr. CUMMINGS, Mr. MEEHAN, Mr. LEWIS, Ms. LORETTA SANCHEZ of California, Mr. ELLISON, Ms. TSONGAS, Mr. CONYERS, Mr. LARSON of Connecticut, Mr. GRIJALVA, Mr. DEUTCH, Mr. SARBANES, Mr. CAMPBELL, Mr. HOLT, Mr. COHEN, Mr. MCGOVERN, and Mr. RUNYAN.
H.R. 849: Mr. VEASEY.
H.R. 850: Mr. BILIRAKIS and Mr. KING of New York.
H.R. 852: Mr. ELLISON.
H.R. 855: Mr. MCNERNEY and Mr. RYAN of Ohio.
H. J. Res. 24: Mr. GIBSON.
H. J. Res. 31: Mr. LYNCH.
H. Res. 30: Mr. NOLAN, Mrs. BEATTY, and Mr. HORSFORD.
H. Res. 36: Mr. HALL, Mr. DESJARLAIS, Mr. BISHOP of Utah, Mr. FLEMING, Mr. LAMALFA, and Mr. MULLIN.
H. Res. 51: Ms. NORTON.
H. Res. 69: Mr. BUCHANAN.
H. Res. 71: Mrs. NAPOLITANO, Mr. POCAN, Mr. BILIRAKIS, Mr. BRIDENSTINE, Mr. MULLIN, Mr. LIPINSKI, and Mr. CARNEY.
H. Res. 75: Mr. HUIZENGA of Michigan and Mr. LOBIONDO.
H. Res. 80: Mr. RUSH.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 88: Mr. MCCLINTOCK, Mr. WESTMORELAND, Mr. ROHRABACHER, Mr. COFFMAN, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. COHEN, Mr. DIAZ-BALART, Mr. SHERMAN, Mr. HIGGINS, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, and Mr. COTTON.

PETITIONS, ETC.

Under clause 3 of rule XII,

5. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution No. 2013–28124 urging the Congress to ban the sale and possession of semiautomatic assault weapons and high capacity ammunition devices and magazines; which was referred to the Committee on the Judiciary.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, FEBRUARY 28, 2013 *No. 29*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

You, O God, are a shield for America. Because of Your mercy and power, we lift our heads with optimism. When we cry aloud to You during our moments of exasperation, You answer us from Your holy mountain.

As we anticipate an across-the-board set of budget cuts becoming law in our land, we still expect to see Your goodness prevail. We remain unafraid of what the future holds because You have promised to never leave or forsake us. Rise up, O God, and save us from ourselves. Pour Your wisdom upon our lawmakers so that they will do Your will.

We pray in Your holy Name. 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 28, 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.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business for 1 hour. The Republicans will control the first half, the majority the final half. Following morning business, the Senate will resume consideration of the American Family Economic Protection Act.

At a time to be determined today, there will be two cloture votes on the motions to proceed to S. 388 and S. 16, which are the Democratic and Republican sequestration bills. Senators will be notified when the votes are scheduled. I will work that out with Senator MCCONNELL.

FAREWELL TO RICK DEBOBES

Mr. REID. Mr. President, today the Senate says goodbye to a valued and accomplished staff member, Rick DeBobes, who is retiring after 10 years as staff director for Senator LEVIN in the Armed Services Committee.

Rick came to the Senate more than two decades ago, after a distinguished 26-year career as a judge advocate in the U.S. Navy. He spent his entire Capitol Hill career with the same committee—that committee being the Armed Services Committee—a rare occurrence in the Senate. He worked first for Chairman Sam Nunn and then Chairman CARL LEVIN.

For the last decade, Rick has led the committee's oversight of two of our longest running wars ever—Iraq and Afghanistan—working to reward the dedication of military personnel and their families.

Under Chairman LEVIN's guiding hand, he has also filled the staff of the Armed Services Committee with the next generation of national security professionals.

Rick's expertise, integrity, and commitment to public service will be missed by Democrats, Republicans, and our country. On behalf of the Senate community, I thank him for his service and wish him well in his retirement.

THE SEQUESTER

Mr. REID. Mr. President, Rick's departure from the Senate Armed Services Committee comes during a trying time for our Nation's military, as deep across-the-board spending cuts are set to strike hundreds of thousands of civilian employees at the Defense Department who will be furloughed in the coming weeks and months. Families and businesses across the country are also bracing for the pain of deep cuts in programs that keep our food safe, our water clean, and our borders secure.

But it is not too late to avert these damaging cuts, and cuts for which the overwhelming majority of Republicans in both the House and Senate voted—174 in the House, 28 here in the Senate. We believe we have a balanced plan to remove the threat of the sequester, fully paid for.

Our proposal would reduce the deficit by making smart spending cuts, and it would also close wasteful tax loopholes allowing companies that outsource jobs to China or India to claim tax deductions for doing so.

Our plan would stop wasteful subsidies to farmers, some of whom don't even farm anymore. That is right, there are some farmers who grew rice decades ago, who still get payments from the Federal Government for rice they do not grow. Chairman STABENOW

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has led the effort to make sure that won't happen anymore, and that is part of our legislation.

Our bill would also ask the wealthiest among us—those making, for example, $5 million a year—to pay a minimum of 30 percent in taxes. I don't think that is too outrageous. It is called the Buffet rule because that multibillionaire said he should pay as much in taxes as his secretary, which he doesn't. So this legislation would make it more fair in that regard.

Almost 60 percent of Republicans around the country favor this balanced approach, revenue from the richest of the rich and continuing with governmental cuts. This proposition would ask millionaires and billionaires and wealthy corporations to contribute a tiny fraction more, as I have already indicated.

And everybody agrees—Republicans around the country and about 80 percent of the American people agree—it is the right thing to do. Almost 60 percent of Republicans around the country agree it is the right thing to do. The only Republicans in America who don't agree are those who serve in Congress.

Republicans in Congress are going after our proposal because it goes after their special interests. Now, after days of infighting, Senate Republicans have announced their plan. But instead of replacing the pain of sequester with something smarter and more responsible, their plan would embrace these devastating cuts while abandoning any of the responsibility that goes along with them.

One of the Senators in our caucus we had on Tuesday said the Republican plan we thought was coming—and it did—would be like being told you have to have three fingers cut off, and their proposal is to send this to the President and have him decide which finger is going to go first.

Republicans call the plan ''flexibility.'' Let's call it what it is: It is a punt. They are punting. As President Obama said yesterday, it would simply raise the question: ''Do I end funding that helps disabled children or poor children? Do I close this naval shipyard or that one?''

The Republican plan is not a solution. And even members of the Senate Republican Caucus have questioned the wisdom of this proposal, and they have said so publicly. Why would the Republicans, part of the legislative branch of government, cede more power to the White House?

The Republicans should give Congress true flexibility—the flexibility to cut wasteful subsidies, the flexibility to close unnecessary tax loopholes, and the flexibility to ask the richest of the rich to contribute a little bit more. Instead, they have become completely inflexible, insisting we risk hundreds of thousands of American jobs as well as programs that strengthen families and small businesses across the Nation.

I am sorry to say that should come as no surprise. As usual, the Republicans have put the demands of special interests and protection of the richest of the rich—people making up to $5 million a year and not being asked to contribute 30 percent of what they make—over the needs of the American people, especially the middle class.

Will the Chair announce the business of the day.

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 for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Republican whip.

THE SEQUESTER

Mr. CORNYN. Mr. President, here we are again, on the eve of this administration's latest manufactured crisis. Tomorrow, as we all know—anybody who has been paying attention knows—the sequester will go into effect. And if we believe the majority leader, the President, and his Cabinet, this will be devastating for our economy and for our country. But I wish to suggest that the majority leader, the President, and his Cabinet put down the beltway Koolaid, because they are predicting a disaster that will not occur.

Let's put the responsibility for this where it lies. The sequester was the President's idea in the first place. As much as he and his press secretary and staff try to deny it, the fact is, as he wrote in his recent book, Bob Woodward has made the point that they told him it was their idea. The White House proposed it to Congress and the President signed it into law on August 2, 2011.

In the year and a half since the Budget Control Act became the law of the land, the President has done virtually nothing—nothing—about it. He has ignored it. He suggested during the Presidential campaign that the sequester would not happen, and it was as if he tried to simply wish it away. Certainly we know one thing, and that is neither the President nor his Cabinet nor the Defense Department nor any part of his administration has done anything to plan for it—no planning whatsoever—which, of course, makes the implementation more challenging, to be sure.

At times, the President has pretended the sequester didn't even exist, even though he signed it into law, such as when the Department of Labor notified government contractors they didn't have to abide by another Federal law called the WARN Act, which requires them to notify their employees of potential layoffs that could result from sequestration. The timing, it seems, was inconvenient. Those notices would have gone out roughly around November 1, just 5 days before the last election.

To be sure, there is bipartisan consensus the sequester is ham-fisted. These across-the-board cuts don't amount to smart budgeting. But what would we expect after nearly 4 years of no budgeting? And what I mean by that, as this chart reflects, is that it has been 1,401 days since the Senate, under Democrat control, has passed a budget. This is a shameful record and one that needs to be rectified as soon as possible.

We are now told the President himself has missed his statutory deadline for sending his proposed budget for the year over to Congress. That deadline was February 4. And now they are saying we may not get it until after we have had to act ourselves on a budget. So they are predicting it will be roughly 7 weeks late.

Well, no one could argue with a straight face—contrary to the doom and gloom and the apocalyptic predictions—that 2.4-percent cuts from our anticipated $3.6 trillion annual spending amounts to devastation or the end of Western civilization or whatever sort of apocalyptic terms you want to use. So let's look at what 2.4 percent in cuts would mean to the average American family.

If you use 100 gallons of gasoline to run your car every month and you had to cut that back by 2.4 percent, that means you would be able to use 97.6 gallons of gas.

If you have a $250-a-month grocery budget, you would need to find $6 in savings. And on a monthly utility bill of, let's say, $175, you would have to trim it down by $4.20.

These are the kinds of cuts the American people have had to make for themselves during the recession of 2008 and due to slow growth and high unemployment since then. Yet President Obama is either unwilling or unable to propose similar cuts to replace the sequester.

If he doesn't like it, well, let's have his proposal for how he would fix it since he signed it into law. Instead, what we get is a proposal that we will vote on this afternoon from our friends across the aisle that would just raise more taxes after one of the largest tax increases in American history as a result of the fiscal cliff negotiations just in late December.

So the President is content to push through more spending to grow the size of government, notwithstanding the fact that the Federal Government is now spending more money than it ever has as a percentage of our economy. And we have $16.5 trillion in debt. We have important programs such as Medicare and Social Security that are unsustainable—unless Congress and the President act on a bipartisan basis.

This is not a mystery. This is not something that Republicans know that Democrats don't know; we all know it; and the President knows it because his own bipartisan fiscal commission told him in December 2010.

According to the Congressional Budget Office, the White House-backed bill offered by our Senate Democratic friends to replace the sequester would actually raise the deficit this year by tens of billions of dollars. Now, you may be wondering about that, thinking that the sequester was supposed to cut spending. But, actually, the proposal made by our friends across the aisle would raise the deficit this year by tens of billions of dollars—not exactly what I would call progress. It is absolutely ludicrous, especially when we consider that even with the sequester spending by the Federal Government will still be higher this year than it was last year.

Let me repeat that in case people weren't listening. Even with the spending cuts mandated by the sequestration, $85 billion in cuts, this administration will still have more money to spend this year than last year. It is hard to see how that would wreak devastation. Yet last year we didn't see planes falling out of the sky, we didn't see empty supermarket shelves for lack of safe food, nor did we see the national parks shutting their front gates. We didn't see any of the doomsday scenarios the President and his Cabinet are now warning about after 1½ years of doing nothing.

Of course, the President talks endlessly, it seems, of the need for a so-called balanced approach. Well, he got his pound of flesh. He got his $600 billion in additional tax revenue from the American people. So where is the balance to that? When all he and his party proposes is more taxes and more spending, that is not balance.

Now is the time to cut spending. That is the only way forward, and that is the only way to begin—with one small step—to return our country to sound fiscal footing.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

SEQUESTRATION

Mr. MCCONNELL. Mr. President, earlier this year, the Democrats who run Washington promised America things would be different under a reelected President Obama. Instead of politics, they would focus on policy. Instead of leaving everything until the last minute, they would get the people's work done ahead of time for a change—and through the regular order. Well, those promises didn't last very long.

Later this afternoon, less than 24 hours before the President's sequester proposal takes effect, we will vote on a Senate Democrat plan that does more to perpetuate the culture of irresponsibility around here than it does to fix the culture of spending that Washington Democrats claim to be concerned about.

Point of fact: Not only would their legislation fail to fix the spending problem facing our country, it would actually add billions more to the deficit. In other words, it isn't a plan at all. It is a gimmick.

Top Democrats already concede it will never garner enough votes to pass the very legislative body they control, much less the House. But let's be very clear: For the President and for his allies, that is really the whole point. They want it to fail so they can go around the country blaming Republicans for a sequester the President himself proposed. In fact, they are so concerned about preventing anything from actually passing the Congress they have limited the ability of Senators on both sides to debate the issue openly and to offer different ideas.

For instance, Senators AYOTTE and PAUL have introduced bills that deserve our consideration. And there are others too. Senator COLLINS has been working on a proposal, and Senator WHITEHOUSE has a plan that would replace the sequester with a series of huge tax hikes. I don't support that approach, but his legislation at least merits a vote.

Republicans will get just one chance to offer a bill, and I will discuss that legislation a little later in my remarks. But if the President's sequester is going to be as horrible as Washington Democrats have proposed, shouldn't we spend more than just a few hours debating it? Is this really the best Senate Democrats can do?

As for the President, he too has yet to put forward a serious plan that could pass either the House or the Democrat-controlled Senate, and he has refused to engage in substantive discussions with congressional leaders. Now, this week, he finally invited Speaker BOEHNER and me to discuss the sequester; that is, tomorrow, the day it takes effect. In short, instead of changing as they promised, Washington Democrats are just turning back to the same old campaign-first strategy they have employed literally now for years.

Now, after thwarting every bipartisan attempt to avert the sequester, the President is ready to make it bite as hard as possible—all to send a simple message to the public: Do you want to control Washington spending, America? Fine. Let me show you how much I can make it hurt. That is the President's strategy: Let me show you how much I can make it hurt.

Instead of directing his Cabinet Secretaries to trim waste in their departments, he is going after first responders and teachers and almost any other sympathetic constituency you can think of. He will arbitrarily close parks and monuments too, all to force Americans to accept higher taxes.

He will claim his hands are tied. He will say he has no choice but to release criminals into the streets and withhold vaccinations from poor children. Somehow it will be everybody's fault but his. Nonsense.

Look, our country has a spending problem—a pretty massive one. Most of us in the Chamber at least acknowledge that fact. But we can either address the problem in a smart way or we can do it in the way he has proposed. That is what the Toomey-Inhofe legislation we will vote on this afternoon is all about. It is about giving agency heads greater flexibility to ensure the sequester cuts are implemented in a smarter way.

Some have raised concerns that this would give the administration too much power; that the President would just use the authority to punish his critics. I certainly understand those concerns. But the goal here is twofold: One, to make sure the American people get the same amount of spending cuts that were promised to them in 2011; and, two, to guarantee some accountability on the President's part so those cuts are administered in a more intelligent way.

You would think the President would welcome a proposal such as ours. Given his complaints and those of his Cabinet Secretaries about their hands being tied on cuts, you would think he would be banging on our doors demanding flexibility. But now—get this—he is complaining that having extra authority might mean he would actually have to choose which programs to preserve and which ones to cut; that he would have to prioritize spending within the Federal Government.

Well, with due respect, Mr. President, I think a lot of people who voted for you think that is your job, to make those tough decisions—especially tough decisions to implement the plan you, yourself, proposed and insisted upon. Surely, you can find a little more than 2 percent to cut from the Federal budget, and surely you can do it without raining down a phony Armageddon on American families. They had to find ways to cope with the 2 percent less in their paychecks just last month after the payroll tax went back up. Why in the world can't Washington?

Look, the American people will simply not accept replacing spending cuts agreed to by both parties with tax hikes, and I plan to make all of this clear to the President when I meet with him tomorrow. He already got hundreds of billions of dollars in new revenue earlier this year when the tax law expired. Now it is time for the balanced part of the equation, and that means keeping our promise to reduce spending.

So the time for games is over. No more protecting waste and broken promises at the expense of those who actually need government help. The American people were promised more spending control, and Republicans are going to help them see that promise is fulfilled in the smartest way possible.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise today to talk about a disappointing milestone that we passed yesterday.

Yesterday was the 1,400th day since the Senate passed a Federal budget—1,400 days. So I guess today is the first day moving toward 1,500 days, but yesterday was the 1,400th day.

It has been said—and I know I have said it on this floor—that failing to plan is planning to fail. If you don't have any idea where you are going, you are not likely to get where you would like to be.

When it comes to our budgetary future, the strategy of the majority has been just not to deal with it.

Last summer Vice President JOE BIDEN challenged and said: Show me your budget and I will tell you what you value. Why the Vice President would have said that I really don't know. The President's budget that has arrived late and has been dead on arrival, apparently, every time it has arrived in the last 4 years and a Senate majority of the Vice President's party that has not passed a budget—why the Vice President would have said: Show me your budget, and I will tell you what you value, I don't know.

I like the Vice President personally a lot. I often don't know exactly why he said what he said. But this comment really does raise a question about why we are not willing to talk about the things we want to achieve as a government.

Nearly 4 years have passed since we had any kind of blueprint. I am told when we talk about a budget in Washington that apparently there were no political consequences because the majority was rewarded with the majority again even though if there was one comment made over and over again in that campaign, it is, it has been 3 years since there has been a budget, and now we are saying it has been 4 years since there has been a budget, and we have seen the government lurch from crisis to crisis. Frankly, most of these crises have been created by the people who say they are trying to deal with them.

I could not imagine, in November and December, why we would want to start a new year with the issues before us that were before us then. This could have been handled at that time as easily as it could be handled now. Part of it is the failure to plan.

Since the Senate, controlled for some time now by Democrats, passed a budget in April of 2009, lots of things have happened. Four years ago nobody in America had an iPad yet because iPads had not yet been invented. Nobody in America now doesn't know somebody who has an iPad if they don't have one themselves. Instagram, which our conference just added to one of these tools this week, didn't even exist 4 years ago. The Federal debt 4 years ago was less than $12 trillion. Now it is $16.6 trillion. LeBron James was still a Cleveland Cavalier the last time the Senate passed a budget. ObamaCare—and the President, in the Presidential campaign, said he now liked that term. I think he may not like it as well as he does now when people find out more about it—was not even the law yet. It was not the law. The ''Oprah'' show was still on the air. NASA had not announced yet that we were done with the space shuttle missions. Prince William and Kate Middleton were not engaged, and Brett Favre still played for the NFL. Lots of things have happened in the last 4 years, but one thing that has not happened is the Senate has not passed a budget.

Republicans in the House have drawn up and voted for budgets. We figured out ways occasionally to have a budget vote. But the President's budget would get no vote. There was no Senate majority budget on which to vote. I look forward to seeing that budget on the floor.

I was glad to vote just a few weeks ago on the bill that said that if we do not have a budget, we do not get paid, because if we do not have a budget, we do not have the fundamental tool it takes to have the other debates on the appropriations bills. People deserve a Senate that has a budget, is willing to put it out there, and that then is willing to have the debates on appropriations bills we need to have. It has been 15 months since we had an appropriations bill on the Senate floor. We have failed to do the work, and that leads us from one needless crisis to another.

Now the crisis, of course, is the sequestration deadline. If you listen to the administration, you would assume that this is the last day it is safe to go outside; that starting tomorrow terrible things are going to happen. I just heard our leader, the Republican leader, talk about our willingness to give the President of the other party more ability to direct these cuts in specific ways—but not forever. We need to take that responsibility back ourselves and appropriate the money that is going to be spent October 1. But between now and September 30, we need to make these reductions in the best way rather than the worst way.

The Appropriations Committee, on which I am the ranking Republican, has Agriculture in it. One thing I am going to ask the Department is, Which employees are supposed to show up on those days that are so dangerous that you say only the critical employees need to be here? And if they are supposed to be here in bad weather, why wouldn't they be here now? Why would you cut the Federal employee who has to show up at a food-processing facility for anybody else to work and have somebody in an office somewhere doing something that could be done the next day that is just dependent on them? If I were the President, I wouldn't want to be answering, why did you cut this and not cut that?

Recently the President had a series of press conferences. He embarked on a 100-city tour to warn about the sequester. He showed up in Newport News in Virginia almost exactly 1 year after three of my colleagues went there—Senator GRAHAM, Senator AYOTTE, and Senator MCCAIN—saying: In a year this is going to be a big problem. A year later the President shows up and says: This is going to be a big problem.

The President proposed the sequester in 2011. He insisted that it become law. He even threatened to veto a bill. He said: I will veto any bill to replace the sequester—late last year. Suddenly, now he has changed his mind and all these terrible things are going to happen and it is unavoidable. It is only unavoidable if we refuse to cut things that can be cut.

The Federal Government has grown 19 percent in its spending in the last 4 years. The sequester would cut 2.4 or 2.5 percent. Anybody in America whose budget has grown 19 percent in the last 2 years can go back, not to where they were the last 4 years—rather, not to where they were 3 years or 4 years ago but just to where they were a few months ago and get their spending level back to that. This is a budget which has grown in a tremendous way, but now it is suddenly uncuttable. We cannot begin to get by with the money we were spending 6 or 9 or 12 months ago? Nobody believes that.

If we want to have this discussion, that is fine with me. These spending cuts need to happen. They should happen, and they should happen in the right way. This is not going to be solved by campaign appearances all over the country. It is going to be solved by good management to reach reasonable goals. The accounting office has identified 51 areas where programs are inefficient, ineffective, and overlapping—51 areas. Why don't we deal with that? That is the Executive's responsibility, to say: Here is how we are going to eliminate these programs the Government Accountability Office has said are inefficient, ineffective, and overlapping. Otherwise, I guess we are committed to keep the programs that are inefficient, ineffective, and overlapping and spend billions of dollars of the taxpayers' money.

That would include things such as 180 economic development programs operating in five different Cabinet agencies. I am for economic development. I am for opportunity and jobs. But do we need 180 different programs in 5 different agencies? Divide 180 by 5—does each of those agencies need an average of that many programs?

There are 173 programs across 13 agencies to promote science, technology, engineering, and math education. That is not a bad goal, but does it take 173 programs in 13 agencies to do it?

Twenty agencies oversee more than 50 financial literacy programs. More than 50 programs across 4 departments are there to support entrepreneurs. Private sector job creation should be the No. 1 domestic goal of the country

today, but do you need 50 programs in four departments to encourage entrepreneurial skills? Probably not.

Why don't we hear about that instead of the air traffic controllers and the highway engineers and the meat plant inspectors and the Head Start teachers? Why don't we hear about these programs that we all know are ready to be made more efficient—or in some cases just simply the way to make them more effective is to eliminate those programs.

There are 47 job training programs in 9 agencies that cost $18 billion in fiscal year 2009. I do not have a number newer than that. We actually don't have a budget much newer than that. But $18 billion for 47 programs in 9 agencies? I am sure we can do better.

The Government Accountability Office found at least 37 duplicative investments in information technology—that was $1.2 billion over 5 years—and 14 programs to administer grants to reduce diesel emissions across 3 departments. This is not 14 programs to administer grants and loans, this is 14 programs to administer grants and loans to reduce diesel emissions. I am for reducing diesel emissions. I am even for the Federal Government paying some attention to whether that is being done. But do we need 14 programs in 3 different agencies to do it?

Across-the-board cutting, which is what sequester really means—that means we couldn't get to the number because, by the way, we didn't have any budget, we didn't pass any budget, so of course we couldn't get to the number. We couldn't get to the number the law requires us not to exceed in our spending, so the cure for that is to cut every line item in the discretionary spending part of the budget—the part that defends the country, the part that builds highways, the part that administers most educational needs in which the Federal Government is involved? That is what sequester is. We can do better.

The Department of Defense has spent more than $67 billion in the last 10 years on nondefense spending. Probably somebody better than the Department of Defense could do the nondefense work. The Department of Energy weatherization program, which has received $5 billion in stimulus funds, exhibited a failure rate of 80 percent. The stimulus program really worked out well. Here is an 80-percent failure rate in energy weatherization.

The FAA—the Federal Aviation Administration, the one about which my friend the Secretary of Transportation, with whom I served in the House, said we would have to eliminate air traffic controllers—they spend $500 million each year on consultants. It could be that it is more important that the air traffic controllers show up than that the consultants show up.

I have a list here I am going to submit because the list literally goes on and on.

The Internal Revenue Service stored 22,486 items of unused furniture in a warehouse, at an annual cost of $862,000.

We will have this discussion of ''why cut that instead of this'' if we want to. But my side is willing to give the President authority between now and the end of this haphazardly put together appropriating year to target cuts so that those of us in the Senate can appropriate the money for next year's spending.

We ought to be moving right now. We should not be having this debate at all today. We should be having a debate on the budget to have it done by April 15 so the Appropriations Committee can begin to do its work and we can find out what needs to happen here.

This is a good time to ask the question, Is this a job for the government? If the answer is yes, the second question is, Is the Federal Government the best of all governments to solve this problem or is there some government closer to the people and closer to the problem that can solve it in a better way?

There are two things I wish to submit and ask unanimous consent to have printed in the RECORD as I close my remarks. One is a July 31, 2012, memo to agencies from the Office of Management and Budget that says, ''Agencies should continue normal spending and operations since there are more than 5 months that remain for Congress to act.''

On September 28 the same management organization, the Office of Management and Budget, under the Executive Office of the President, sent another memo out that says, ''Agencies should continue normal spending and operations, as instructed in the July 31 memo from the Office of Management and Budget to executive departments and agencies which addresses operational and other issues raised by the potential of January 2 sequestration.''

So the new spending year is about to begin in 2 days—2 days after this goes out—and the direction from the White House is business as usual, full-speed ahead, spend money just like you are. Don't bother with that law which says that beginning on January 1, we have to spend less money.

Well, I am convinced we are going to spend less money. I am prepared to work with the President to see that we do that in the smartest possible way, but we have to get our spending under control, and I look forward to seeing the Senate do its job first with the budget and then with bills that debate our money and what we spend our money on.

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

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, July 31, 2012.

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

From Jeffrey D. Zients, Acting Director.

Subject Issues Raised by Potential Sequestration Pursuant To Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

Passed by bipartisan majorities in both houses of the Congress, the Budget Control Act of 2011 (BCA; Public Law 112–25) amended the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) to put into place an automatic process of across-the-board reductions in budgetary resources, known as a sequestration, specified in an order to be issued on January 2, 2013, if the Joint Select Committee on Deficit Reduction failed to propose, and the Congress failed to enact, a bill containing at least $1.2 trillion in deficit reduction.

The President has made clear that the Congress should act to avoid such a sequestration. If allowed to occur, the sequestration would be highly destructive to national security and domestic priorities, as well as to core government functions. To avoid this, the President submitted a budget for 2013 that includes a comprehensive and balanced set of proposals that contain greater deficit reduction than the Congress was charged with achieving. The Administration believes the Congress should redouble its efforts to reduce the deficit in a bipartisan, balanced, and fiscally responsible manner and avoid the sequestration.

If Congress were to enact the requisite deficit reduction measures and avoid the sequestration, there would be no need to take steps to issue the sequestration order, and then to develop plans for agency operations for the remainder of FY 2013 within the constraints of that order. These sequestration planning and implementation activities, once undertaken, will necessarily divert scarce resources from other important agency activities and priorities. The President remains confident that Congress will act, but because it has not yet made progress towards enacting sufficient deficit reduction, the Office of Management and Budget (OMB) will work with agencies, as necessary, on issues raised by a sequestration of this magnitude.

To that end, OMB will be holding discussions on these issues with you and your staff over the coming months. In the near term, OMB will consult with you on such topics as the application to your agency's accounts and programs of the exemptions from sequestration contained in section 255 of BBEDCA and the applicable sequestration rules specified in section 256 of BBEDCA. These discussions should be informed by your General Counsel's analysis of how the requirements of BBEDCA, as amended by the BCA, and other statutory authorities apply to a particular issue involving your agency. OMB will also engage with agencies on anticipated reporting requirements established by Congress that are related to, but separate from, planning for or implementing a sequestration order under the BCA.

Over the longer term, in the absence of Congressional action on a balanced deficit reduction plan in advance of January 2, 2013, OMB will undertake additional activities related to the implementation of the BCA. OMB will work with agencies, as necessary, on issues surrounding the sequestration order and its implementation. For example, sequestrable amounts can only be calculated once FY 2013 funding levels are known; therefore, shortly before any sequestration order is issued, OMB will collect information

from agencies on sequestrable amounts and, where applicable, unobligated balances, and calculate the percentage reductions necessary to implement the sequestration. In the meantime, agencies should continue normal spending and operations since more than 5 months remain for Congress to act.

The steps described above are necessary to prepare for the contingency of having to issue a sequestration order, but they do not change the fact that sequestration is bad policy, was never meant to be implemented, and should be avoided through the enactment of bipartisan, balanced deficit legislation. The Administration urges the Congress to take this course.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 28, 2012.

OMB BULLETIN NO. 12–02—TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

Subject Apportionment of the Continuing Resolution(s) for Fiscal Year 2013

1. *Purpose and Background.* H.J. Res. 117 will provide continuing appropriations for the period October 1, 2012 through March 27, 2013. Section 110 of H.J. 117 requires that the joint resolution be implemented so that only the most limited funding actions shall be taken in order to provide for continuation of projects and activities, and section 109 requires that programs restrict funding actions so as not to impinge on the final funding prerogatives of the Congress. I am automatically apportioning amounts provided by sections 101(a) and 101(b) of this continuing resolution (CR) as specified in section 3. The amounts provided by the 0.612 percent across-the-board (ATB) increase in section 101(c) will be subject to the procedures for apportioning that funding as outlined in section 4. This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A–11, sections 120 and 123.

The Administration continues to urge Congress to pass a balanced package of deficit reduction that would replace the potential sequestration on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (BBEDCA). If necessary, the Bulletin will be amended to address that sequestration. Unless and until the Bulletin is amended, however, agencies should continue normal spending and operations, as instructed in the July 31 memo from OMB to executive departments and agencies which addressed operational and other issues raised by the potential January 2 sequestration. Unless the Bulletin is subsequently amended, it should be assumed to apply to both this CR and any extensions of this CR.

Note: Although the CR Bulletin does not automatically or otherwise apportion budgetary resources for accounts that are not determined by current appropriation action of the Congress (such as mandatory funding and balances of prior year budget authority), those apportionments will also be amended if necessary, to reapportion sequestrable resources to account for the potential January 2 sequestration. The guidance above to spend and operate normally until further notice also applies to these other resources.

2. *Amounts Provided.* Section 101(a) of H.J. Res. 117 provides such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year (FY) 2012 and under the authority and conditions provided in such stated Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in H.J. Res. 117, that were conducted in FY 2012, and for Appropriations Act, 2012 (Public Law 112–55), except for appropriations in that Act designated by the Congress as being for disaster relief, the Consolidated Appropriations Act, 2012 (Public Law 112–74), and the Disaster Relief Appropriations Act, 2012 (Public Law 112–77), except for appropriations in that Act under the heading ''Corps of Engineers-Civil''.

Section 101(b) provides that notwithstanding section 101 whenever an amount designated for Overseas Contingency Operations (OCO)/Global War on Terrorism (GWOT) pursuant to section 251(b)(2)(A) of BBEDCA in either the Department of Defense Appropriations Act, 2012 (division A of Public Law 112–74) or in the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012 (division H of Public Law 112–74) that would be made available for a project or activity is different from the amount requested in the President's FY 2013 Budget request, the project or activity shall be continued at a rate for operations that would be permitted by, and such designation shall be applied to, the amount in the President's FY 2013 Budget request. For purposes of calculating the rate for operations, the reference to ''amount'' in section 101(b) is assumed to mean the budget account total.

Section 101(c) increases the rate for operations provided by subsection (a) by 0.612 percent. Such increase does not apply to OCO/GWOT amounts or to amounts incorporated in the joint resolution by reference to the Disaster Relief Appropriations Act, 2012 (Public Law 112–77).

3. *Automatic Apportionments.* Attachment A contains more detailed instructions on calculating the annualized amount provided by the CR. In order to calculate the amount automatically apportioned through the period ending March 27, 2013 (and any extensions thereof) multiply the annualized amount provided by the CR in sections 101(a) and 101(b) by the *lower* of:

The percentage of the year (pro-rata) covered by the CR (e.g., for H.J. Res. 117 use 48.77 percent), or

The historical seasonal rate of obligations for the period of the year covered by the CR.

Unless determined otherwise by your RMO, all automatically apportioned CR funds are apportioned as Category B (lump sum), regardless of quarterly restrictions (i.e., amounts on Category A) imposed in last year's apportionments. Limitations on programs (i.e., other Category Bs) and footnotes included in last year's apportionments remain in effect under the CR.

Apportionment of the 0.612 percent ATB increase in section 101(c) is discussed in section 4.

4. *Amounts Provided by Section 101(c) Excluded from Automatic Apportionment.* This automatic apportionment does not apply to amounts provided by the 0.612 percent ATB increase in section 101(c) of H.J. Res. 117. The agency may submit a written apportionment to OMB to request these funds during the period of the CR.

5. *Accounts with Zero Funding Excluded from Automatic Apportionment.* As has been the case in recent CR Bulletins, including FY 2012, if either the House or Senate has reported or passed a bill that provides no funding for an account at the time the CR is enacted or extended, this automatic apportionment does not apply to that account. (Reported bills are those that have been filed by the full House or Senate Appropriations Committee for floor action.) The agency may filed by the full House or Senate Appropriations Committee for floor action.) The agency may submit a written apportionment to OMB to request funds for the account during the period of the CR, if needed.

6. *Programs under Section 111.* Funds for appropriated entitlements and other mandatory payments, and activities under the Food and Nutrition Act of 2008, are automatically apportioned amounts as needed to carry out programs at a rate to maintain program levels under current law, i.e., at the FY 2013 level. However, this automatic apportionment does *not* apply to programs with more complex funding structures. Agencies should contact their RMO representatives to determine if their account is automatically apportioned or if a written apportionment is required.

With regard to the associated administrative expenses for those programs, section 111 does not apply. The associated administrative expenses are automatically apportioned at the pro-rata level based on FY 2012 annualized levels in section 101(a).

As noted in section 1, this automatic apportionment will be amended, if necessary, to reapportion sequestrable resources to account for the sequestration order that the President may be required to issue on January 2, 2013, under section 251A of BBEDCA. Until such time as the Bulletin is amended, agencies should continue normal spending and operations, as instructed in the July 31 memo from OMB to executive departments and agencies which addressed operational and other issues raised by the potential January 2 sequestration.

7. *Credit Limitations.* If there is an enacted credit limitation (i.e., a limitation on loan principal or commitment level) in FY 2012, then the automatic apportionment is the pro-rata share of the credit limitation or the budget authority (i.e., for subsidy cost), whichever is less. To calculate amounts available, see exhibit 123B of OMB Circular No. A–11.

8. *Written Apportionments for Amounts Provided by Sections 101(a) and 101(b).* If an agency seeks an amount for a program that is more than the amount automatically apportioned under sections 101(a) and 101(b), a written apportionment must be requested from OMB. OMB expects to grant only a very *limited* number of these written apportionment requests. Each of these requests must be accompanied by a written justification that includes the legal basis for the exception apportionment. Similarly, an RMO or an agency may determine that an amount for a program should be less than the amount automatically apportioned by sections 101(a) and 101(b) in order to ensure that an agency does not impinge on the final funding prerogatives of the Congress. In these cases, a written apportionment will also be required.

Agencies do not need to request a new written apportionment for each extension of the CR (unless otherwise required by your RMO). Instead, in the case of accounts that receive a written apportionment at any time during the CR period, the automatic apportionment will apply to such accounts under any subsequent extensions of the CR, provided that the total amount apportioned during the CR period does not exceed the total annualized level of the CR. However, any footnotes on the written apportionment continue to apply to the accounts, when subsequently operating under the automatic apportionment.

The written apportionments described in this section are not intended to address the written apportionment requirements for amounts provided by section 101(c) or accounts with zero funding. Those requirements are described in sections 4 and 5 above, respectively.

JEFFREY D. ZIENTS,
Deputy Director for Management.

Attachment(s):

Attachment B: Non-CHIMP Cancellations Recurring in a 2013 Continuing Resolution.

Attachment C: Changes in Mandatory Programs Recurring in a 2013 Continuing Resolution.

ATTACHMENT B: NON-CHIMP [1] CANCELLATIONS RECURRING IN A 2013 CONTINUING RESOLUTION

[budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted	2013 CR
Cancellations of Unobligated Balances:		
Agriculture and Rural Development:		
USDA, The Office of Advocacy and Outreach	−4	—
USDA, Buildings and Facilities [National Institute of Food and Agriculture]	−2	—
USDA, Public Law 480 Title I Ocean Freight Differential Grants	−3	—
USDA, Public Law 480 Title I Direct Credit and Food for Progress Program	−2	—
USDA, Salaries and Expenses [Foreign Agricultural Service]	−1	—
Total, Agriculture and Rural Development	−12	—
Commerce, Justice, Science:		
DOC, Emergency Steel, Oil, and Gas Loan Program Account	−1	—
DOC, Coastal Zone Management Fund	−18	—
DOC, Public Telecommunications Facilities, Planning and Construction	−3	−3
DOC, Information Infrastructure Grants	−2	−1
DOJ, Working Capital Fund	−40	−40
DOJ, Salaries and Expenses, United States Marshals Service	−2	−2
DOJ, Salaries and Expenses [Drug Enforcement Administration]	−10	−10
DOJ, Buildings and Facilities	−45	−45
DOJ, Justice Assistance	−4	−4
DOJ, State and Local Law Enforcement Assistance	−42	−42
DOJ, Juvenile Justice Programs	−9	−9
DOJ, Community Oriented Policing Services	−24	−24
DOJ, Violence against Women Prevention and Prosecution Programs	−15	−15
NASA, Mission Support	−1	—
NASA, Space Operations	−12	−13
NASA, Science	−5	−5
NASA, Exploration	−4	−4
NASA, Aeronautics	−1	−1
NASA, Education	−2	−2
NASA, Construction, Environmental Compliance, and Remediation	−5	−5
Total, Commerce, Justice, Science	−245	−225
Defense:		
DOD, Procurement, Defense-wide	−5	−4
DOD, Aircraft Procurement, Navy	−168	−78
DOD, Weapons Procurement, Navy	−34	−34
DOD, Procurement of Ammunition, Navy and Marine Corps	−28	−28
DOD, Shipbuilding and Conversion, Navy	−110	—
DOD, Other Procurement, Navy	−60	−60
DOD, Aircraft Procurement, Army	−27	−22
DOD, Missile Procurement, Army	−100	−30
DOD, Procurement of Weapons and Tracked Combat Vehicles, Army	−23	−19
DOD, Procurement of Ammunition, Army	−37	−15
DOD, Other Procurement, Army	−497	−438
DOD, Aircraft Procurement, Air Force	−253	−220
DOD, Missile Procurement, Air Force	−198	−194
DOD, Other Procurement, Air Force	−65	−53
DOD, Research, Development, Test, and Evaluation, Defense-wide	−254	—
DOD, Research, Development, Test, and Evaluation, Navy	−66	—
DOD, Research, Development, Test and Evaluation, Army	−357	—
DOD, Research, Development, Test, and Evaluation, Air Force	−258	—
DOD, National Defense Sealift Fund	−34	—
Total, Defense	−2,574	−1,195
Energy and Water Development:		
DOE-NNSA, Defense Nuclear Nonproliferation	−21	−21
DOE, Fossil Energy Research and Development	−187	−42
DOE, Energy Efficiency and Renewable Energy	−10	−10
Total, Energy and Water Development	−218	−73
Financial Services and General Government:		
GSA, Operating Expenses	−5	—
EXOP, Partnership Fund for Program Integrity Innovation	−10	—
Drug Control Programs, Counterdrug Technology Assessment Center	−5	—
Drug Control Programs, Other Federal Drug Control Programs	−6	−6
Salaries and Expenses [Privacy and Civil Liberties Oversight Board]	−1	−1
Total, Financial Services and General Government	−27	−7
Homeland Security:		
DHS, Office of the Chief Information Officer	−5	−5
DHS, Working Capital Fund	−5	−1
DHS, Citizenship and Immigration Services	−1	—
DHS, Salaries and Expenses [United States Secret Service]	−1	−1
DHS, Aviation Security	−71	—
DHS, Immigration and Customs Enforcement	−13	−10
DHS, Automation Modernization [Immigration and Customs Enforcement]	−10	−10
DHS, Customs and Border Protection	−5	−5
DHS, Automation Modernization, Customs and Border Protection	−5	−5
DHS, Border Security Fencing, Infrastructure, and Technology	−3	−3
DHS, Operating Expenses [United States Coast Guard]	−38	−38
DHS, Acquisition, Construction, and Improvements (U.S. Coast Guard)	−4	−1
DHS, United States Visitor and Immigrant Status Indicator Technology	−27	−27
DHS, State and Local Programs	−3	−3
DHS, National Pre-disaster Mitigation Fund	−1	−1
DHS, Management and Administration	−1	—
Total, Homeland Security	−193	−110
Interior and Environment:		
DOI, NPS, Construction (and Major Maintenance)	−4	−4
DOI, Wildland Fire Management	−82	—
EPA, State and Tribal Assistance Grants	−45	−45
EPA, Hazardous Substance Superfund	−5	−5
Total, Interior and Environment	−136	−54
Military Construction and Veterans Affairs:		
DOD, Military Construction, Defense-wide	−131	−131
DOD, Base Closure Account 2005	−259	−259
DOD, Military Construction, Navy and Marine Corps	−25	−25
DOD, Military Construction, Army	−100	−100
DOD, Military Construction, Air Force	−32	−32
Total, Military Construction, Veterans Affairs	−547	−547
State and Foreign Operations:		
State, Diplomatic and Consular Programs	−14	−14
State, Economic Support Fund	−100	−100
Export-Import Bank Loans Program Account	−400	−400

ATTACHMENT B: NON-CHIMP [1] CANCELLATIONS RECURRING IN A 2013 CONTINUING RESOLUTION—Continued

[budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted	2013 CR
Total, State and Foreign Operations	−514	−514
Transportation and Housing and Urban Development:		
Transportation, Compensation for General Aviation Operations	−3	—
Transportation, Capital Investment Grants	−58	−44
Transportation, Operations and Training	−1	—
Transportation, Maritime Guaranteed Loan (Title XI) Program Account	−35	—
HUD, Housing Certificate Fund	−200	−20
HUD, Other Assisted Housing Programs	−232	−15
Total, Transportation and Housing and Urban Development	−529	−79
Subtotal, Cancellations of Unobligated Balances	−4,995	−2,804
Cancellations of Advance Appropriations:		
Military Construction and Veterans Affairs:		
VA, Medical Support and Compliance (reappropriation) [2]	−100	—
VA, Medical Services (reappropriation) [2]	−1,400	—
VA, Medical Facilities (reappropriation) [2]	−250	—
Total, Military Construction, Veterans Affairs	−1,750	—
Transportation and Housing and Urban Development:		
HUD, Tenant Based Rental Assistance	−650	—
Subtotal, Cancellations of Advance Appropriations	−2,400	—
TOTAL, Cancellations of Balances & Advance Appropriations	−7,395	−2,804
Cancellations of Overseas Contingency Operations Funding: [3]		
Defense:		
DOD, Overseas Contingency Operations Transfer Fund	−357	—
DOD, Procurement of Ammunition, Army	−21	—
DOD, Other Procurement, Air Force	−2	—
Total, Defense	−380	—
Military Construction and Veterans Affairs:		
DOD, Military Construction, Army	−235	—
DOD, Military Construction, Air Force	−35	—
Total, Military Construction, Veterans Affairs	−270	—
Subtotal, Rescissions/Cancellations of Overseas Contingency Operations Funding	−650	—
Cancellations of Congressionally-Designated Emergency Funding: [4]		
Homeland Security:		
DHS, Immigration and Customs Enforcement	−2	—
DHS, Aviation Security	—	−16
DHS, Border Security Fencing, Infrastructure, and Technology	−4	—
DHS, Acquisition, Construction, and Improvements (U.S. Coast Guard)	−2	−2
Total, Homeland Security	−8	−18
Subtotal, Cancellations of Congressionally-Designated Emergency Funding	−8	−18
Grand Total, All Cancellations	−8,053	−2,822

[1] Excludes offsets that are the result of cancelling or blocking spending from mandatory programs. See Attachment C on CHIMPs for this information.
[2] These funds were technically rescinded in the appropriations bills but they were immediately reappropriated. This rescission-reappropriation mechanism is to simply to extend the availability for two years.
[3] These enacted rescissions of funding were designated as Overseas Contingency Operations pursuant to Section 251(b)(2)(A) of BBEDCA, as amended.
[4] Funding is not designated ''Emergency'' pursuant to Section 251(b)(2)(A) of BBEDCA, as amended. These amounts are counted outside of the discretionary caps.

ATTACHMENT C: CHANGES IN MANDATORY PROGRAMS RECURRING IN A 2013 CONTINUING RESOLUTION

[Budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted [1]	2013 CR
Agriculture and Rural Development:		
USDA, Funds for Strengthening Markets, Income, and Supply (Section 32)	−150	−300
USDA, Federal Crop Insurance Corporation Fund	−75	−75
USDA, Commodity Credit Corporation Export Loans Program Account	−20	—
USDA, Commodity Credit Corporation Fund (Biomass Crop Assistance Program)	−184	—
USDA, Commodity Credit Corporation Fund (Voluntary Public Access)	−17	—
USDA, Watershed Rehabilitation Program	−165	−165
USDA, Rural Energy for America Program	−51	−29
USDA, Rural Microenterprise Investment Program Account	−4	−4
USDA, Energy Assistance Payments	−80	−28
USDA, Farm Security and Rural Investment Programs	−1,225	−657
Conservation Stewardship Program	(−33)	(−217)
Environmental Quality Incentives Program	(−350)	(−350)
Farmland Protection Program	(−50)	(−50)
Grassland Reserve Program	(−81)	(—)
Wetlands Reserve Program	(−671)	(—)
Wildlife Habitat Incentives Program	(−35)	(−35)
Agriculture Management Assistance Program	(−5)	(−5)
USDA, Rural Economic Development Grants (Cushion of Credit)	−155	−155
USDA, Trade Adjustment Assistance for Farmers	−90	—
USDA, Supplemental Nutrition Assistance Program	−11	−11
USDA, Child Nutrition Programs (Obligation Delay)	−133	—
Total, Agriculture and Rural Development	−2,360	−1,424
Commerce, Justice, Science:		
DOC, NOAA, Promote and Develop Fishery Products Transfer	−109	−109
DOC, NOAA Fisheries Enforcement and Sanctuaries Enforcement Asset Forfeiture Funds:		
Operations, Research, and Facilities (ORF) Reduction in Collections	+6	—
ORF Reduction in Spending Authority from Collections	−6	—
Transfer out of Unobligated Spending Authority from ORF	−3	—
Collections Deposited as Receipts in Asset Forfeiture Funds	−6	—
Spending of Receipts in Asset Forfeiture Funds	+6	—
Transfer in of Unobligated Spending Authority to the Asset Forfeiture Fund	+3	—
DOC, Digital Television Transition and Public Safety Fund	−4	−4
DOJ, Assets Forfeiture Fund	−675	−675
DOJ, Crime Victims Fund (Obligation Delay)	−7,113	−9,511
DHS, Citizenship and Immigration Services Transfer	−4	−4
Total, Commerce, Justice, Science	−7,905	−10,303
Energy and Water Development:		
DOE, SPR Petroleum Account	−500	−500
DOE, Northeast Home Heating Oil Reserve	−100	—
Total, Energy and Water Development	−600	−500
Financial Services and General Government:		
Treasury, Forfeiture Fund	−950	−950
FDIC, Deposit Insurance Fund Transfer to the OIG	−45	−45
Postal Service, Transfers to the OIG & Postal Regulatory Commission (PRC)	−255	−255

ATTACHMENT C: CHANGES IN MANDATORY PROGRAMS RECURRING IN A 2013 CONTINUING RESOLUTION—Continued

[Budget authority in millions of dollars]

Appropriations Subcommittee	2012 Enacted [1]	2013 CR
Postal Service, Discretionary Offsetting Collections for Transfers to the OIG & PRC	+255	+257
Securities and Exchange Commission Reserve Fund	−25	−25
Total, Financial Services and General Government	−1,020	−1,018
Interior and Environment:		
USDA, Forest Service Permanent Appropriations	−12	−12
DOI, Mineral Leasing and Associated Payments	−42	−40
DOI, NPS, Land Acquisition and State Assistance	−30	−30
DOI, Assistance to Territories	+14	+13
DOI, Office of Surface Mining Fee Reclassification	*	—
Total, Interior and Environment	−70	−69
Labor, HHS, and Education:		
Labor, MSHA Approval and Certification Fee to be Deposited in Expenditure Account	—	+1
HHS, Consumer Operated and Oriented Plan Program Account	−400	−400
HHS, Children's Health Insurance Fund	−6,368	−6,368
HHS, CMS Program Management, High Risk Pools	+44	+44
Education, Student Financial Assistance (including Pell Grants)	−124	—
Independent Payment Advisory Board	−10	−10
Total, Labor, HHS, and Education	−6,858	−6,733
State and Foreign Operations:		
State, Foreign Military Sales Trust Fund—Block mandatory spending	−100	—
State, Foreign Military Sales Trust Fund—Payout to Special Defense Acquisition Fund	+100	—
Total, State and Foreign Operations	—	—
Transportation and Housing and Urban Development:		
Transportation, FMCSA Motor Carrier Safety Grants	−1	−1
TOTAL, Changes in Mandatory Programs (CHIMPs)	−18,814	−20,048

*Denotes a number less than $500K.

[1] All FY 2012 CHIMPs have been rebased as mandatory and are not included in any FY 2012 Enacted levels. They are only displayed for comparison purposes.

Mr. BLUNT. I yield back whatever time I might have.

The ACTING PRESIDENT pro tempore. Time is yielded back.

The majority whip.

Mr. DURBIN. We will have a vote on the floor of the Senate. It is an important vote because tomorrow is the day of sequestration. The American people are learning new terminology. The fiscal cliff meant nothing to most Americans 6 months ago, but by New Year's Eve many understood that something serious was about to occur. Laws had been passed which meant that taxes would go up on virtually every taxpaying American on January 1 if Congress failed to act. That was the fiscal cliff.

We reached a last-minute agreement on ways to avert that from happening and to make sure any tax increases on the income tax side were going to be exclusively applied to those in the highest income categories. Well, the Americans breathed a sigh of relief and said thank goodness that emergency is over.

We are good in Washington at manufacturing crises, and now we are in a new crisis of our own creation. This is not some act of God, some natural event, some occurrence we have no control over. We created this. We created something called sequestration, and here is what it was all about.

The President sat down with the leaders in Congress—this goes back over a year now—and said: Listen, we need to do something about our deficit, but let's do it in a bipartisan way and a balanced way. Let's put together a supercommittee—an equal number of Democrats and Republicans—and let's reach an agreement once and for all. Stop bickering and reach an agreement. Let's reduce the deficit as a result of that agreement. But, he said, to make sure you take it seriously, if you don't reach an agreement, then as of this year, 2013, we are going to have automatic spending cuts called sequestration, and the sequestration cuts are not going to be very kind. They are going to be across-the-board cuts by each line item of the budget. So to avoid that, do the right thing and reach a bipartisan agreement in the supercommittee.

We failed. We failed when the Republicans of the committee said no revenue, no taxes. Sorry. We will just talk about spending cuts and cutting Medicare. That is all we are interested in talking about.

End of story; end of supercommittee; welcome to the world of sequestration. The threat that was supposed to make the supercommittee act is now about to become the reality. The reality means that in the remainder of this year—we do fiscal years, not calendar years—between now and September 30, we need to cut $85 billion in spending. Half of it will be on the defense side, and half of it will be on the nondefense side. Some might say: Come on, this is a big government and this is a big budget, and you are telling me $85 billion is a big problem?

I happen to agree with the Senator from Missouri—Republican Senator BLUNT who was here a moment ago—that there are plenty of areas to save in the Federal Government. I will speak to a few in a moment. We don't create an opportunity for that kind of thoughtful discussion and decisionmaking. Instead, it is automatic. It just happens.

What is wrong with cutting every line of the budget by a certain percentage? Well, let's take it home. Let's talk about an American family. Let's assume that family has just learned that next year, due to circumstances beyond their control, they are going to be making $500 less each month; somebody lost a job in the family or something like that. They look at the family budget and they say: We are going to have to tighten things up and make some hard choices. Someone else at the family table says: Wait a minute, We don't have to do it that way. What we should do since $500 is maybe 5 percent of what we take home in pay, let's cut everything we spend by 5 percent. If we do that, we will be able to reach that $500 mark.

When they stop and think about it for a minute, they realize that doesn't make any sense at all. We are going to cut our mortgage payment by 5 percent? We cannot do that; we will default on our mortgage, and we will lose our home. We will cut our utility payment by 5 percent? They will cut off the lights. We cannot cut the prescription drugs by 5 percent. We need that medicine to keep our children healthy. No, we have to look at a more thoughtful way. Let's look at parts where we spend money that we can afford to cut.

That is how families budget, that is how the government should budget, but sequestration doesn't cut budgets that way. It cuts it by each line item—the mortgage, the utility bill, the prescription drugs are all cut the same. That is what we face starting tomorrow. Well, there are ways to avoid that. The most important opportunity will come tomorrow afternoon. President Obama is bringing the congressional leaders—the House and Senate, Democrats and Republicans, all four—together for a meeting in the White House. Let's hope cooler heads prevail. Once again, we are at the deadline. Once again, the American people are looking to us and wondering what is going to happen.

What is at stake here? There are several things at stake. One of the things that is at stake is that the cuts for many agencies are going to be unreasonable. It will be unreasonable because they have to be done in a matter of 5 or 6 months. I am now chair of the Defense Appropriations Subcommittee. It means that most of the civilian employees who work for the Department of Defense are going to lose 1 day's pay

each week. It will result in a 20-percent cut in pay between now and the end of the year and will be a hardship on some families.

Don't believe these are fat-cat Federal employees. Many of them are struggling families doing jobs in our Department of Defense which are critical for our Nation's security. They range across the board from some of the most sophisticated decisionmaking to keep us safe as a Nation to the very basics of keeping the lights on in the buildings where these decisions are made. They are going to see this kind of furlough, reduction in pay and, unfortunately, reduction in productivity because of it. That is not good.

Other things are going to happen because of it. When workers are laid off at a depot where they repair a ship, it means the ship that was in for repairs has to stay there longer. It cannot go out and protect America.

Last week I was in a place called Bahrain. Bahrain, an island in the Persian Gulf, is a critical front in America's national defense. The 5th Fleet is there. What a magnificent group of individuals. ADM John Miller took me around on the ships and introduced me to the men and women in uniform. I could not have been prouder as an American to say hello to these people who are literally giving and risking their lives for our country. How are they protected while they are out there? Well, we have a great aircraft carrier out there. It is there if needed. I hope it is never needed. It is only one of two carriers that is supposed to be there.

The USS *Truman* was supposed to join the other carrier to protect our troops and our interests in the Persian Gulf, but it will not be there. Why? Because the Navy had to hold the *Truman* in reserve to save money. This is just one example of how you can't contain the effects of sequestration. And our sailors—our men and women in uniform—are out in the Persian Gulf, literally in a much riskier situation because of it. When we talk about how easy it is to cut spending in the government, it can be easy if we do it in a thoughtful way.

The second point I wish to make is that it is not just a matter of where we cut or how we cut, it is a matter of this process. We have been told by the people who give a credit rating to the United States of America that what has been happening for the last 2 years has not gone unnoticed. Think about your own family situation again. If a family is late in paying bills, what happens? Their credit rating goes down, and then when they turn around to borrow some money—whether it is an installment loan for a car or a home—they look at their credit rating, don't they? They say: You are not the most reliable person in paying your bills. Your credit rating is lower; therefore, the interest rate you pay will be higher.

The same thing applies to the government. Over the last 2 years this strategy that has been hitting us and says we have to lurch from one threatened government shutdown, to a shutdown of the economy over the debt ceiling, to the fiscal cliff, to the sequestration, is taking a toll on America's credit rating. So the ratings agencies are saying: Don't get me wrong, it is a great Nation and a great economy, but there are not a great bunch of politicians in Washington when it comes to making decisions; therefore, we are going to have an uptick in the interest rate paid by America to borrow money. What that means is we will be paying more of the taxpayers' dollars in interest to those who loan us money, such as China, and less in goods and services to serve America.

Now they are telling us again: If you go to sequestration and you get into another hopeless political tangle, as you have over the last 2 years, you run the risk that America's credit rating is going to be downgraded, interest rates are going to go up, and your kids are going to owe more on the national debt. That is what is at stake here.

What are we going to do about it? This afternoon we will make a proposal that not a single Republican will vote for. I will make that prediction on the floor. It is a proposal where we take a look at one of the most wasteful areas of spending and eliminate it. It applies to my State of Illinois, and here is what it is: direct payments to farmers. I don't know why we did this, but in the last farm bill we said we will give direct support payments to farmers whether they make money or lose money. Sometimes we will give them the direct payments whether they grow a crop or don't grow it. Does that make sense? I don't think it does.

We said for a long time, 70-years plus, the U.S. Government will be there when the farmers need it—when they need a helping hand. I understand that. Farming is a risky business, but direct support payments don't work on that principle. They make a payment regardless.

When Senator STABENOW of Michigan wrote the new farm bill, she said: I am eliminating direct payments. It saves $25 billion over 5 years. We had 64 Senators, which is about a dozen Republicans, to join us in passing the farm bill. They agreed and the farm groups agreed that they could no longer defend direct support payments. They could not defend it in a time when we have so many deficits.

The farm bill could not pass in the House. They were unable to pass a farm bill. I don't know why, but they couldn't. So what we will do this afternoon is take that savings from the direct support payments and use that to defer some of the cuts that would otherwise occur in sequestration. I think it is pretty sensible.

We will find out that not a single Republican will vote for it. They can come to the floor and list where they will save money, and they will have a chance on the floor this afternoon to actually save $25 billion on something the farmers agree with and farm organization support—and many of them voted for—but not one will vote for it. Not one. It is a sad situation.

Let me tell one other thing they ought to think about: for-profit schools. Does anyone know what they are? Well, if you have a child—a son or daughter in high school—you will know them soon because they are inundating your son or daughter with invitations to come join their university. Let me give some of the biggest names of the for-profit school industry: University of Phoenix. Ever heard of it? The combined enrollment of the University of Phoenix is more than the combined enrollment of the Big Ten. The second largest one, I believe, is DeVry, which is out of Chicago, and then Kaplan, which is a career education corporation. These are private companies that purportedly educate students. Some do, most don't.

If anyone wants to know about the for-profit colleges in America, they should remember three numbers. The first number is 12; 12 percent of all the high school graduates in America go to for-profit schools, such as the ones I mentioned, and others. The next number, 25; 25 percent of all the Federal aid to education goes to these schools. So they have 12 percent of the students and 25 percent of the Federal aid to education. Well, how much is that? About $32 billion a year goes to these schools, and it is Federal taxpayer dollars.

If we took the $32 billion that is going to for-profit schools and translated it into a Federal agency, it would be the ninth largest Federal agency in Washington—$32 billion to these schools. Hang on for the third number. The third number is 47—12, 25, 47. Forty-seven percent of all the student loan defaults occur among students who are going to these for-profit schools.

What does that tell you? They are getting too deeply in debt, they cannot finish school, and they cannot find a job. What a waste. They end up with debt and nothing to show for it. The schools end up with the money; the students and their families end up with the debt.

Let me recite one of these stories. I have invited students to tell me their stories at my Web site, and many of them have. Tabitha Hewitt, who is a first-generation college student, was aggressively recruited by for-profit colleges. They promised her a great future with a paying job. What she ended up with was a student debt of $162,000. She attended the International Academy of Design and Technology, which is a for-profit college owned by Career Education Corporation.

Tabitha is a veteran of the Air Force. She thought her education would give her the skills she needed to be successful in the civilian workplace. It turns out she does the same job as her colleagues who didn't attend any of these

for-profit schools. She didn't pick up any advantage; she just picked up a debt. The GI bill didn't cover the tuition because it was too high, so she took out student loans.

Paying her loans is a daily struggle. For Tabitha, it consumes her life. She sometimes has to walk away from other bills just to pay her student loans. She is constantly in battle with the lenders, trying to negotiate a reasonable payment plan, and they refuse. She says she can't save for anything. She can't pay for her own health insurance. She probably can't get married and have children. She just can't afford it. She wants to go back to a real school for a real education, but guess what. This deeply in debt, she can't borrow any money to go to school—to a real college instead of a for-profit school.

For-profit colleges prey on veterans such as Tabitha. They use deceptive marketing and aggressive tactics. They tell the veterans everything is going to be great and everything is going to be paid for. It is simply not true.

The 90–10 rule permits for-profit colleges to receive up to 90 percent of their total revenue from the Federal Government. These for-profit colleges are 10 percent away from being Federal agencies. But here is the thing: The 90 percent only includes Federal student aid programs such as Pell grants or student loans. GI and Department of Defense tuition assistance are counted as private revenue, giving the schools a huge incentive to recruit and target servicemembers and veterans such as Tabitha. Veterans and servicemembers help the schools meet the 90–10 rule and then end up with a worthless education.

Congress needs to stop this bloated industry from continuing to prey on veterans such as Tabitha Hewitt. Congress needs to make sure servicemembers and veterans have all the information they need about a school before they choose to enroll. We need to also make sure these schools are providing servicemembers the skills they need to succeed in the workforce. Schools with awful outcomes should not be participating in the Department of Defense Tuition Assistance Program and they should not be eligible for the GI bill.

Do my colleagues want to know where to save money without going into a sequestration that lays off a lot of important people across America and, in some ways, compromises our national security and the protection of our men and women overseas? Start with the for-profit schools. These folks have tapped into the Federal Treasury to the tune of $32 billion a year.

People say to themselves: Why do we let them get away with it? They have friends in high places. They are participants in our political processes. They can be found at many of the great parties and receptions across the city of Washington and around the country. They are doing what they can legally do as citizens. They are finding friends in high places and protecting the $32 billion a year that goes to these worthless schools, many of which are a complete waste of time and money for the students who end up there.

It would be bad enough if it was just a bad education or a waste of time. Tabitha is stuck with a $162,000 student debt.

There is one last kicker. The student debt is different than the other debt a person has. If a person borrows money for a home or a car or a boat or to buy a washer and dryer and they go broke and go to bankruptcy court, those debts are going to be swept away—not student loans. Student loans are not dischargeable in bankruptcy. Tabitha, the bad news is this is a debt that will be with you for a lifetime. Student debt is not dischargeable in bankruptcy. That is where we are today.

So when my friends come to the floor and talk about all the ways to save money in Federal spending, I will give them two to start with, one they can vote for this afternoon: end the direct payments in agriculture and save $25 billion. Secondly, reform this for-profit school scam that costs us $32 billion a year. They are easy places to start, perhaps even on a bipartisan basis.

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

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

The assistant clerk proceeded to call the roll.

Mr. COONS. 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.

Mr. COONS. Mr. President, what has become painfully clear to me this week is that folks in the Congress, folks in the Senate aren't listening to each other anymore. As we lurch toward our latest fiscal crisis—the looming sequester that takes effect tomorrow—I rise to speak directly to the folks I work for—my constituents, my fellow Delawareans.

I wish to continue a conversation I have been having with my neighbors at the train station, in the Acme, outside church, on the sidelines of my kids' sporting events, consistently since coming here to serve you as Delaware's junior Senator.

I am focused a bit by a Facebook message I got from Sandi, a neighbor, this morning. It is fairly poignant. She writes: In 2011, when we spoke, you assured me the sequester was so Draconian it would never happen. I feel betrayed by Congress, the Senate, and all of Washington.

She writes further: I trusted you to hold up our end of this deal and now we are going to sequestration. Disappointed is an understatement for how I feel. Why can't you get anything done down there?

To Sandi, to the nonprofits in Delaware whose funding is about to get cut, to the civilian workers at Dover Air Force Base who are facing furlough, to the educators throughout the State who may be laid off and the students who may well be crammed into more crowded classrooms, to the parents whose children will not receive the vaccines they need, and to all my neighbors who will be abruptly impacted by what Washington has failed to do this week to deal with the sequester, on behalf of the Senate, I am frustrated. I am at my wit's end. I am embarrassed by our dysfunction. I am sorry. This is simply not how your government is supposed to work.

Our country, as we all know, has a real long-term problem—a national debt now approaching $17 trillion, annual deficits for years of $1 trillion, literally adding to the problem each day we don't act together. While the solution to this problem is not easy, it is relatively obvious.

I wish to say this at the outset: Including interest savings, we have already saved a little less than $2.5 trillion since 2010. But it is easy to miss since we have done it piecemeal, through reductions in continuing resolutions, through the Budget Control Act, through the recent fiscal cliff deal. I know the general impression all of us get at home is we lurch from crisis to crisis and it is unclear that we have made any progress at all. But we have already locked in nearly $2.5 trillion in savings.

As a member of the Budget Committee, we got to hear from the Bowles-Simpson Commission, the Domenici-Rivlin Commission, a whole series of prominent economists who broadly agreed we needed $4 trillion in savings to get our deficits under control and to stabilize our debt as a percentage of our economy.

We have made about $2.5 trillion in progress and that leaves us about $1.5 trillion, maybe even $2 trillion left to go to achieve that target, depending on how we count. More than 70 percent of the savings we have already enacted have come from cuts, overwhelmingly cuts to domestic spending that are critical to the future of our economy. I think it is important as we go forward that we achieve some balance in the remaining component.

This Chamber will have to pass a budget resolution this year. That is what we are already working toward in the Budget Committee, a meeting from which I just came. We must cut spending, we must, in my view, raise revenue, and we must reform our entitlement programs. All of these have some role to play in dealing with these long-term issues. None of them though can solve the problem on their own, and this has been clear for the 3 years I have been serving here.

Our problem has been that we have a vocal part of one party who largely would not entertain raising any revenue and a vocal part of another party who largely would not consider reforming our entitlement programs, so we have lurched from crisis to crises. We

try to force each other to do it on the backs of one piece of our large Federal budget.

So to my conservative neighbors or those in the other party, I am sorry, we just cannot do this through cuts to discretionary, nondefense programs alone or through entitlement reforms alone. We cannot responsibly deal with this deficit and debt just within those two areas.

In the last 2 years we already made more than $1.5 trillion in discretionary spending cuts. On the trajectory we are on now, in the next decade the percentage these programs make of our total Federal Government will drop to levels not seen since Dwight Eisenhower was President, even as our revenues today are at their lowest as a percentage of our economy in 50 years.

Federal spending, done right, in the right sectors, fuels our long-term competitiveness. I am talking about investments in education, in infrastructure, in R&D, and basic science and curing diseases, and in speeding commerce. They are key to our future.

One of our core areas of focus here ought to be on how do we create jobs in a progrowth agenda for our country? By simply focusing on hacking off the domestic, discretionary piece of our Federal budget, it is like an airplane that is trying to get lift but one of its engines is being cut off. We need to sustain investment in some of these critical areas of the Federal budget. But equally, I will say to my liberal neighbors, to folks in my party, we cannot solve this budget problem just by raising taxes on the wealthy and on corporations. The math just does not work. There is not enough we can raise there to deal with the whole challenge.

Remember, the fiscal cliff deal we just passed in the last few weeks will bring in another $600 billion in revenue over the next 10 years. So we are making progress.

We also cannot do it if we simply ignore the poor fiscal health of our long-term entitlement programs either. Last year Medicare and Medicaid Programs—plus interest on the debt—made up almost 30 cents of every $1 the Federal Government spent. In two decades, on our current trajectory, it may be 50 cents of every $1.

Demographics, steadily rising costs of health care will keep driving this, and we must deal with it. Unless we change course, putting all these things together, productive expenditures that grow our economy—medical research, R&D—will be crowded out. Progressive priorities such as Head Start, low-income housing assistance, breast and cervical cancer screenings—the things that help care for the least among us or that help make us healthier will be gone.

So in my view, why not take this moment when we still have a Democrat in the White House and Democrats in control of this Chamber to make tough choices while we have historically low interest rates and fight to preserve the legacy of the earned benefits—Medicare, Medicaid, and the vital entitlement programs we treasure. In my view, we cannot simply hope that the cost of our entitlement programs comes down and we cannot simply tax our way to economic health. Anyone who tells you that either of these is enough is wrong. Spending has to be cut. Entitlements have to be reformed. Revenue needs to be raised. They are all part of the problem, and they should all be part of the solution.

Somehow, though, when we actually do manage briefly to have a substantive debate on these questions, we tend to spend all of our time focusing on the smallest facet of the Federal budget—discretionary spending—but almost no time discussing these others, the rest of the equation, the big drivers.

This place has become somewhat of an alternative reality where, if we dig in real hard and people get really scared and we use fancy words such as ''sequester'' or ''fiscal cliff,'' we can ignore the facts. There is no question that we do have to reduce spending, but the sequester is the worst way to do it. When conceived, the sequester was such a bad idea that both sides were supposed to be motivated to move Heaven and Earth to prevent it from taking effect. That is how terrible it is as policy. Yet here we are.

I am dumbfounded. It is not as though we have not had plenty of time to make this better—18 months, by my count. Why are people talking now in the press here on Capitol Hill about whether BOEHNER will lose his speakership or whether the first person to suggest the sequester worked in the White House or in the Capitol, whether Republicans have more to gain by the sequester kicking in or Democrats? How much time have we been spending trying to fix blame rather than fix the problem? Who owns the sequester seems to be the fight of the day here. Who cares is my question. There are no winners in this fight.

I think the question of how we reduce our deficits, stabilize our economy, prioritize spending that will grow jobs—this debate can either dominate the next 10 years, as we lurch every 3 months from crisis to crisis, or we can address the broader, bigger question and fix it and lay a groundwork for health, for growth, for recovery. Again, the math is not that hard; the politics are.

We here in Congress, with the executive branch, have largely created this problem, and now we need to solve it. Tomorrow, leaders from this Chamber and the House will go to the White House to meet with President Obama about how to address the sequester on the very day it takes effect. On behalf of my constituents, on behalf of the teachers, the police officers, the nonprofits, the personnel at Dover Air Force Base, the kids, their parents, my neighbors, on behalf of my State, I urge our leaders to embrace this moment and to work not only to avert this short-term sequester—not just this $85 billion in cuts—but to resume their work on the grand bargain. We need a big deal. We need it to be balanced. We need it to be fair. Spending, entitlements, revenue—they all need to be on the table, and they all have to be part of the equation.

My question for everyone in that meeting tomorrow——

Mr. MCCAIN. I have to ask for regular order.

The ACTING PRESIDENT pro tempore. The majority time has expired.

Mr. COONS. I ask unanimous consent for 30 seconds to conclude my remarks.

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

Mr. COONS. My question for everyone—everyone—in both parties, both Chambers who goes to this important meeting at the White House tomorrow is, How much more time do we have to fight and not to act, to attack and not compromise, to spin rather than solve? Based on the e-mails, the calls, the contacts I have gotten from my constituents, from my neighbors, the time to step up and address this larger problem is now. The sequester, while savage, is not the underlying problem. It is our unwillingness to come together across parties and Chambers to deal with the underlying challenges of our budget. It is my hope, my prayer, that we will take this moment and act.

Thank you, Mr. President. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 388, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 18, (S. 388) a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I ask unanimous consent that in addition to the two cloture votes on bills dealing with the sequester today, there be set a time, to be determined by the majority leader in consultation with the Republican leader, that without intervening action or debate the Senate proceed to a rollcall vote on the motion to proceed to my alternative bill dealing with the sequester which is now at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader.

Mr. REID. Mr. President, I reserve the right to object and will say just a few things.

Unless we act by midnight tomorrow, Friday, across-the-board cuts will kick in. They are going to start kind of slowly, but they are going to ramp up really quickly. So the question for us today is, Are we going to act to replace these across-the-board cuts?

The proposal we have put forward would prevent the cuts with a balanced plan. Our plan will protect air safety, our food supply and, most importantly, our national security. And frankly, Mr. President, air safety, which I mentioned, food supply—that is also part of our national security in addition to our military.

The alternative that has been put forward by my friend the Republican leader would not replace the cuts. As I said earlier this morning here on the floor, one of my colleagues in the Democratic caucus said at our caucus on Tuesday that he understood what the Republicans were going to put forward, and he said it would be like sending the President an order: We have already decided you are going to have to cut off three fingers, and we are giving you the alternative to decide which one you cut first.

The Republican alternative would not replace the cuts but would call for making the cuts in some different way. Republicans call their proposal ''flexibility.'' In fact, it is anything but that. Their proposal is entirely inflexible on one key point: not a single dollar of revenue, not a single tax loophole would be closed.

Now, remember, Mr. President, the one proposal we have forward says that if you make $5 million a year, you will have to pay 30 percent tax minimum. That is it. That does not sound too outrageous. That is why the American people agree—Democrats, Independents, and 60 percent of Republicans.

Now the Republican side seeks a third vote on the Ayotte amendment, which would replace the cuts with a parade of even more unfair cuts and penalties on immigrants, people receiving health care under ObamaCare, the Consumer Financial Protection Bureau, those kinds of things.

I also have trouble understanding, as I do—I frankly do understand why, as I read in the paper, AYOTTE, MCCAIN, and GRAHAM do not like the Republican proposal—haven't we ceded enough power to the President?

So it is not our fault over here that the Republican leader chose to offer not the Ayotte alternative but instead chose the Republican alternative that we are going to talk about and vote on later today.

I return to my main question again briefly. Are Republicans really filibustering a vote on replacing the sequester? My question is, Would the Republican leader modify his consent to allow for simple up-or-down votes on each of the two alternatives? Would it make a difference if we allowed votes on three bills, including the Ayotte alternative? I would be happy to have three votes if the Republican leader would simply allow the votes to be held at majority thresholds.

So I have asked that. I can do it formally. I would be happy to do so if there is any taking of my request here. But this having been the case, if my friend the Republican leader says: Yes, why don't you put that in proper form—and I would be happy to do that—then we would have votes on all three, with a simple majority on each one of them. Not hearing someone say: Great idea, then I object to the request of my friend from New Hampshire.

Mr. MCCONNELL. Mr. President, I would say to my friend the majority leader that I would object. He can either propound such a consent or not, whatever he chooses, but I would object.

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

Mr. REID. Yes, I did that.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, obviously we regret that we have not been able to reach an agreement. I am especially disappointed that we are unable to consider the Ayotte amendment, which is an alternative to the sequestration. A flexibility of sequestration would still sooner or later have the same Draconian effects on our national security.

I also would point out to my colleagues that what we are about to go through is in some respects a charade because we know the proposal on that side will not succeed with 60 votes, and the proposal on this side will not succeed with 60 votes. Meanwhile, the clock moves on until sometime tomorrow night.

Some of us warned for a long time about the effects of sequestration, and if we want to have a blame game, then I will take blame, everybody takes blame. But isn't it time that we prevented what our military leaders in uniform, who have made their careers and their lives serving and sacrificing for this country, say would harm and inflict terrible damage on our ability to defend this Nation, our inability to train and equip the men who are serving? I always appreciate very much when Members on both sides of the aisle praise the men and women who are serving in the military. I am always pleased to see that. But shouldn't we be thinking about them now? Shouldn't we be thinking about those men and women who are serving who literally do not know what they are going to be doing tomorrow—like the crew of the aircraft carrier that they decided not to deploy to the Middle East at a time when tensions are incredibly high?

I would also point out to my colleagues that this is not a fair sequestration. Most Americans believe this is half out of defense, half out of nondefense. It is not.

Under the formulation of the sequestration, about half of the spending we engage in is exempt, such as compensation for the President, such as the Federal Home Loan Mortgage Corporation, such as payment to the District of Columbia Pension Fund, such as the Host Nation Support Fund for Relocation. All of these and many others were made exempt, which meant the cuts and the reductions in defense were even larger, and, obviously, those who designed this legislation decided that the Federal Home Loan Mortgage Corporation and relocation funding was more important than national defense because we didn't exempt national defense.

That is disgraceful.

Nineteen percent of discretionary spending is out of defense. We are asking for a 50-percent cut out of defense, on top of $87 billion that has already been enacted under Secretary Gates, on top of $487 billion in defense which is already on track to be cut. The percentage of gross national product for defense continues to decline.

What are we doing?

A few days ago there was a wonderful ceremony in the White House where a brave young American received the Congressional Medal of Honor. I happened to go to an evening function at a pizza place with him and his comrades who fought. A book was written by Jake Tapper, an excellent book—I recommend it to all of my colleagues—about eight of their comrades who were killed. Here we are unable to make sure these young men and women serving in harm's way have the equipment, the training, and everything they need to defend this Nation. We are doing the men and women who are serving this Nation a great disservice, and the President did them a disservice when he said in the campaign: Not to worry, sequestration won't happen. The President of the United States said that. I didn't say it. The three of us traveled this country warning about the effects of sequestration. Of course, we now know the idea came from the White House. That is the blame game, and I will be glad to engage in this game.

Can't we at least come to some agreement to prevent this? Are we going to lurch from one fiscal cliff to another? If we want to do that, that is one thing.

General Odierno is one of the great leaders I have had the opportunity of knowing for many years. General Odierno, the Chief of Staff of the Army, a man who has decorations from here to there, said he cannot replace the men and women who are serving in Afghanistan under this sequestration because he doesn't have the ability to train their replacements. Isn't that an alarm for us?

We are going to go through a charade here. In a little while we are going to have a vote on the Democratic proposal, and it will not get sufficient

votes; and the same thing here on this side, and the clock will tick.

Tomorrow, on the last day, the President is going to call people over to the White House to see if we can address it. Where was he in the last year?

Again, I am not taking the floor today for the blame game. I am pleading for the men and women who are serving this Nation in harm's way who every single day have a hell-of-a-lot tougher time than we do. Can't we do something on their behalf to sit down with the President of the United States, who is Commander in Chief, and get this issue resolved before we do great damage to our national security?

I thank Senator AYOTTE for her proposal. It contains real reductions in spending so we don't have to go through this sequestration. On the one side, now we have a choice between ''flexibility,'' which nobody really knows exactly what that means—and on the other side, obviously, a proposal that really bears no relevance to the issue that faces us.

I thank my colleagues for the time. If I sound a little emotional on this issue, it is because I am. It seems to me we, at least on this issue of national security and the men and women who serve our Nation, should come together. I stand ready to put everything on the table to prevent what could be, in the words of the departing Secretary of Defense, a devastating blow to our ability to defend this Nation in what I could make an argument are the most dangerous times.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. I thank the Senator from New Hampshire who authored this amendment which Senator MCCAIN and I support. She spent a lot of time and effort trying to fix sequestration in the first year and trying to look at programs that are not as essential to the Nation, in my view, as the Department of Defense.

Let me put this in perspective. I don't need a poll to tell me what I think about this. The majority leader referenced some poll out there about where the American people are. I appreciate polling. It is a tool all politicians use. I don't need one here to know where I stand.

The question is, Do the people in South Carolina think I am right or wrong? I will have an election in 2014. I am certainly willing to stand before the people of South Carolina and say what we are doing in this sequestration proposal is ill-conceived, dangerous, and despicable.

Let's start with the Commander in Chief. This is what Mr. Lew said, our new Treasury Secretary:

> Make no mistake, the sequester is not meant to be policy. Rather, it is meant to be an unpalatable option that all parties want to avoid.

That was their view of sequestration.

According to Bob Woodward and comments since, this idea came out of the White House. The White House thought that if we created a penalty clause for supercommittee failure called sequestration, where we would have to take $600 billion of the $1.2 trillion out of the Defense Department, that would make the supercommittee more likely to achieve a result. If we took $600 billion out of nondefense, that would put pressure on the supercommittee to get the right result.

We are going to spend $45 trillion over the next decade. The next question for the country is, Could we save $1.2 trillion without destroying the Defense Department and raising taxes? Yes, we could if we tried. Put me in the camp that this is an achievable spending cut. This is not something that is unachievable.

What Senator MCCONNELL said is very important. Two-thirds of the budget, almost, is exempt from sequestration. When you hear Republicans say surely we can find $85 billion out of $3.5 trillion in spending—to my Republican colleagues, stop saying that. That is not accurate. We are not cutting $85 billion out of $3.5 trillion. We are cutting $85 billion out of about 1.3, 1.25, because the Budget Control Act took off the table two-thirds of the government from being cut.

I will get to the President in a minute, but let me talk a little bit about my party, the party of Ronald Reagan, the party of peace through strength. This is the party that believes—at least we used to—the No. 1 obligation of the Federal Government, before it does anything else, is to get national security right. That was what made Ronald Reagan.

That is what I believe. I don't need a poll to tell me that. I don't care if 90 percent of the people in the country said the Defense Department is not my primary concern when it comes to Federal budgeting. Count me in the 10 percent.

The party of Ronald Reagan, even though it came out of the White House, this very bad idea, agreed to it. What did we agree to? We agreed to take off the table two-thirds of the Federal Government.

Pell grants. My sister received a Pell grant when my parents died. It is a very important program. It helps people go to college who are low-income Americans. In 2008 it was $16.25 billion and in 2013 it is $41.57 billion.

Food stamps. A lot of people need help, I understand that. The Food Stamp Program has doubled since 2008.

I guess the Republican Party believes the Pell grants, food stamps, the FAA, and home mortgage interest deduction, and all this other stuff in the Federal Government should be shielded, but those who have been fighting the war that protects us all from radical Islam should be on the chopping block. Ronald Reagan should be rolling over in his grave. Shame on everybody who agreed this was a good idea on our side.

I cannot tell you how disgusted I am with the concept that when it comes time to cut—because the budget politicians can't reach an agreement—we fire the soldiers and keep the politicians and every other social program intact and put half the cuts on those who are fighting the war.

So the next time you go to a military base, good luck. We will look those men and women in the eye—I don't see how you could. I don't see how you could go onto a military base or see somebody in the airport, shake their hand and thank them for their service given the fact you have taken the Defense Department and made it something not very special anymore.

Secretary Panetta said: After 10 years of these cuts we would have the smallest ground forces since 1940, the smallest number of ships since 1915, and the smallest Air Force in its history. This isn't like the drawdowns in the past when the potential enemy was disabled and in some way rendered ineffective. We are still confronting a number of threats in the world. It would decimate our defense. It would cripple us in terms of our ability to protect this country.

It would result in the hollowing out of our forces. It would terribly weaken our ability to respond to threats in the world. It is a ship without sailors. It is a brigade without bullets. It is an airwing without enough trained pilots. It is a paper tiger. In effect, it invites aggression. A hollow military doesn't happen by accident; it comes from poor stewardship and poor leadership.

I couldn't agree more.

To my Democratic colleagues, we are not going to raise any more taxes to spend money on the government. The next time I raise taxes, we are going to try to get out of debt. We are $17 trillion in debt, and every time there is a crisis in this Nation you want to raise taxes to pay for the government we already have. We have enough money to run this government. We need to spend it better.

To my Republican colleagues, there is not enough flexibility in the world to change the top line number. You either believe Secretary Panetta or you don't. You either believe every military commander—I don't trust everything a general tells me, but the question for me is do I trust all generals who tell me the same thing. Can all of them be wrong? It is one thing to have a dispute with a general or an admiral, but when every general and admiral tells you the same thing—and if we don't believe them, we need to fire them—we act accordingly.

As to the President, you have one obligation that nobody in this body has. You are the Commander in Chief of the United States. They trust you, they need you, and your primary goal is to take care of those in uniform and their families.

Mr. President, you have let them down. My party let them down, but you are different from any other politician. You are the Commander in Chief. How you could have considered this as an

acceptable outcome just makes me sick to my stomach. I don't know how any Commander in Chief could have been comfortable with the idea that if the supercommittee fails, we are going to cut the military. You haven't lifted a finger in the last year to do anything about it. You finally go to a naval base down in Virginia, after the election, a few days before this kicks in.

To me, this is pathetic leadership by the Commander in Chief. This is an abandonment of the Republican Party's belief in peace through strength. This is a low point in my time in the U.S. Congress.

We are not going to raise taxes to fund the government. We are going to raise taxes in my construct to pay down debt and fix entitlements. I cannot tell you how ashamed I am of what we have done to those who have been busting their butts for the last 11 years, to those who have been deployed time and time again, and to their families.

The thank-you you receive from your President and your Congress is we are going to put your way of life on the chopping block. God, if we can't do better than that then all of us should be fired—politicians.

Mr. MCCAIN. I would ask the Senator to yield to respond to one question.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, if I may interject, I believe I have the floor.

Mr. MCCAIN. I have the right to ask a question from the person who has the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina has yielded for a question.

Mr. MCCAIN. My question is, does the Senator think the American people appreciate and understand what this does to the lives of the American men and women who are serving? For example, those who are serving on that aircraft carrier they said was going to deploy for many months and was cancelled at the last minute, the training plans which are now going to be cancelled, the deployments which will be changed—not to mention the massive layoffs in the defense industry, which sometimes are not easily replaceable. That is my question.

Mr. GRAHAM. Well, I don't know if they do or not. We have done everything we can—the three of us—to tell them what is coming our way. All I can say is that every general and admiral who has told us the same thing, I respect what they are telling us. Leon Panetta is a Democrat, but he is dead right. He has been a great Secretary of Defense. I trust their judgment.

I know enough about the military budget to know if we take $600 billion out of their budget, on top of the $487 billion, plus the $89 billion, we are going to make them less able to defend our Nation, putting our men and women at risk, and that is what this debate is about.

I wish to thank Senator AYOTTE, who came up with an alternative to avoid this without raising taxes.

My time is up. I don't know who is next, but I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I wish to interject just for a moment to sort out the order on the floor.

I apologize to the Senator from Arizona for the last exchange. I thought I had the floor at that point. I understand now this is a colloquy.

I think Senator AYOTTE seems to be in order, but the chairman of the Appropriations Committee is here, so perhaps she could be recognized at the conclusion of Senator AYOTTE's remarks. I see Senator INHOFE, so if he could follow Senator MIKULSKI and then I will follow Senator INHOFE, I offer that as a proposal.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Reserving the right to object, I don't need to be in this lineup. I will be talking later on. I only wanted to ask one question of Senator AYOTTE when she has the floor.

Mr. WHITEHOUSE. The Senator has that right, and she will yield to him.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Ms. AYOTTE. I thank the Chair, and I thank very much the Senator from Rhode Island for allowing me the opportunity to continue and for sorting out the order on the floor.

Mr. INHOFE. Would the Senator yield for a question before she starts?

Ms. AYOTTE. I will, and then, obviously, I would like to make a few comments.

Mr. INHOFE. Yes, of course. The question is this—and I know the Senator already knows this, but others may not know, and I want to make sure they are aware.

I am in support of the Senator's bill. I am a cosponsor of the bill and have been since way back when the Senator first started with Jon Kyl a long time ago.

Ms. AYOTTE. I thank the Senator for that.

Mr. INHOFE. I agree with what was said by both the Senator from Arizona and the Senator South Carolina. In fact, it was my request that Senator AYOTTE's measure be the Republican alternative. So I just wanted to make sure everyone knew that. I think it is a good idea.

Ms. AYOTTE. I thank the Senator for his statement and for his support and I certainly join in the comments and concerns that were just raised by my colleagues Senators MCCAIN and GRAHAM.

Here is where we are. We are in this position where, frankly, as Senator MCCAIN said, this is a charade. Both parties are acting out this play where we are going to have one vote on the Democratic alternative that is going to fail, and then we are going to have another vote on one Republican alternative that is going to fail. So I put pen to paper and came up with some other ways to cut spending, which comes to about $250 billion in savings over the next 10 years, in order to address sequester and also to have an alternative because I believe the American people see through this charade of what is going to happen today and that, ultimately, as prior speakers have said, the sequester was set up to be resolved in a way where we had alternative savings that did not undermine our national security and some of the core services that could be put at risk in the way the sequester is structured.

I firmly believe, when we look at what has happened, this bill was ill-conceived from the beginning. I didn't support it. I didn't vote for it. One of the fundamental problems with it was it was a kick-the-can-down-the-road exercise where we gave our responsibility to find the $1.2 trillion in savings—the sequester—to a supercommittee, rather than the Senate and the Budget Committee doing our job of budgeting and prioritizing.

So stepping back, that is what has led us here. But I am also disappointed in my Republican colleagues, and that is why I offer an alternative of spending cuts, because it seems to me, the way this is structured we have already taken $487 billion in reductions to our defense. I serve on the Senate Armed Services Committee. For 1 year on that committee, I have been listening to our military leaders at every single level when asking them about the sequester. From the highest leaders, the Chairman of the Joint Chiefs of Staff to the Secretary of Defense, we have heard things such as we are going to shoot ourselves in the head, we are going to hollow out our force, and America will no longer be a global power, which is what General Dempsey once told us, as a result of sequestration.

This morning, we had leaders of our military before the Armed Services Committee and I asked Assistant Secretary Estevez: If we go with the flexibility approach, does this address the impact on our national security? In other words, will this address making sure we can still meet the needs of our national security?

Let us not forget this is happening at a time when Iran is marching toward a nuclear weapon, when we have conflict in Syria, and when we are still at war. By the way, with this sequester, the way it impacts the Department of Defense, our war funding was not exempt. Over 50 percent of spending, as this was set up from the beginning, was exempt from the sequester, which of course is no way to find savings throughout the whole government, but we didn't exempt the war funding.

So at a time of war, I asked the Assistant Secretary: Does the flexibility solve the problem to our national security? And he said: Certainly, flexibility

will help us deal with it, but it will not solve the problem in terms of our national security.

So that is why I decided to come up with some alternative savings. My proposal will not get a vote today. I think it is a time when, frankly, we should be bringing more ideas to the floor, not less ideas, and debating this vigorously in the Senate, instead of where we are right now, which is a charade. We are going to have one vote and another vote and then we are all going to go to our respective sides and say: OK, American people, we know there are real risks, particularly to the safety of this country, that we should be addressing. From my perspective, I believe we can address them through alternative spending cuts.

Through all this, we have the President, who has called leaders of both parties tomorrow to the White House. I have spent a year working on this issue. He was at the Newport News shipyard the other day. We were there in July talking about the impact on that shipyard. We traveled to States around the country—to military facilities—to talk to the people there at those facilities about the impact of sequester. I think the President should have been on this much sooner, but now it is time for his leadership as the Commander in Chief—leadership we could have used this past summer when we were all talking about it. We could have been in a position to try to resolve it then rather than continuing to be in these crisis moments in which we find ourselves in the Senate.

Where I am left on all this is that we owe it to our men and women in uniform to find alternative ways to save the money, still protecting our national security. Also, so people understand how this plays out, the way the cuts are taken in 2013—during a shorter period, not a full period—OMB has estimated on the defense end it is about 13 percent, on top of the $487 billion in reductions, and in nondefense spending it is about 9 percent over the additional $487 billion.

So I would just simply ask for a time to stop this charade, and it is my hope we could actually get down to resolving this in a responsible way for our country. That is why I put pen to paper. People can be critical of my proposal, but I think that now is the time when we should have a vote on every proposal and we should have every idea come to the table because it is a time to stop the charade and it is a time to solve this problem. Let's make sure we protect our country at a very dangerous time.

I will continue to work to do that for our country. I think we can do it, still addressing our deficit, still with savings, but we certainly need to do it, and having the charade vote we are going to have today will not solve it. The American people deserve better and we should be giving them better and solving this.

I thank the Chair for allowing me the time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on behalf of the Democratic alternative that would cancel the sequester for this year.

Before the Senator from New Hampshire leaves, I would like to take a minute to compliment her on her energy, her passion, and the fact that she actually wants to present ideas to be discussed. I think that is excellent. I want her to also know I support the concept she is advocating of no more delay; that we cannot solve America's fiscal situation and also important public investments we need to make in research and innovation and keep our fragile economy going by just punting now. I think we agree on that.

The other thing we agree on is the goal to get our fiscal crisis in order, to strengthen our economy, and to keep America strong. We just are going to disagree on the means. But that is OK. That is called America. That is called the Senate. That is called debate. Let's let the world watch and hear that we actually have ideas, and just as we are doing this minute, we can do it with civility and with interest in what is being said. I found what the Senator from New Hampshire had to say very interesting, and I will have a few comments about that and what the Senator from South Carolina said, but I wanted her to know that I do think we must begin to move with urgency. I do think the politics of delay, ultimatum and brinkmanship, should come to an end. I like the idea of debating ideas and look forward to that both in conversation and so on.

I just wanted to say that to her.

Ms. AYOTTE. Would the Senator from Maryland yield for a brief comment?

Ms. MIKULSKI. Yes.

Ms. AYOTTE. I thank the Senator, and I wanted to first say I know she is the new chair of the Appropriations Committee and I congratulate her on that. As we go forward, as we look at why we are where we are, if we can get back to regular order in the Senate, with a budget and a regular appropriations process, I think we would do a great service for the American people and eliminate this crisis-to-crisis mode. I know, as the new chair of the Appropriations Committee, Senator MIKULSKI will play a leadership position in doing that.

Ms. MIKULSKI. I absolutely will. Just to respond, first of all, I have a great vice chairman, Senator RICHARD SHELBY, from the other side of the aisle, who shares that same idea.

What does the regular order mean? It means we bring out one bill at a time; that we don't have a $1 trillion bill on the floor at one time, where we can't discuss it, debate it, analyze it, and certainly no more of these 7,000-page bills, where we find things have parachuted into the bill in the middle of the night.

I agree with my colleague and I look forward to that, and I must say I have enjoyed working with her and look forward to doing more of the same.

Ms. AYOTTE. I thank the Senator.

Ms. MIKULSKI. Mr. President, I do want to speak in support of the bill that is offered as our Democratic alternative. It is a balanced solution to preventing the dysfunctional, disruptive, across-the-board spending cuts called sequester. Sequester is a Washington word and a Washington invention we came up with during the budget crisis debacle in August of 2011, where we would cut $1 trillion over 10 years or $110 billion at a time. That was supposed to have been resolved through the supercommittee, but that didn't happen. It was supposed to have been resolved through the fiscal cliff, all the way up to New Year's Eve. What happened? We punted. We delayed for 2 months, and so here we are.

While we are facing the Draconian implications of the sequester, we do have an answer. That answer is composed of a balanced approach, where we look at increased revenue and strategic cuts that will not cripple our economy nor weaken America's strength here or abroad.

What does it do? Yes, it does go to increased revenue. The revenue we are talking about is to close these juicy loopholes, to end these outrageous tax earmarks that happen in the stealth of the night. Look, we got rid of earmarks on the Appropriations Committee. Let's get rid of tax earmarks on the Finance Committee, and this is one of the ways to do it.

I want to compliment the Senator from Rhode Island, Mr. WHITEHOUSE. He has done incredible research on just exactly what these cushy, lobbyist-driven tax breaks are.

Our closing the loopholes cuts spending, and it also protects the middle class, ensures essential government services, and keeps America strong. What does it do? Yes, it does reform the Tax Code. The first loophole it closes is something called the Buffett rule. It saves $53 billion and it means wealthy taxpayers will pay lower effective tax rates than the middle class. In plain English, and this is what Warren Buffett said, a billionaire should pay the same tax rate as somebody who makes about $55,000 a year.

Guess what. We Democrats believe in entrepreneurship. We believe in rewarding hard work. So that tax doesn't kick in until your second million. If I were a billionaire, I would take that deal. I am not a billionaire. But, more importantly, neither are 99 percent of the American population.

We also eliminate a special loophole to the oil and gas industry for $2 billion where they get oil from tar sands. That would be also subject to a tax. But my favorite one is it eliminates tax breaks for shipping jobs overseas, another significant amount of money.

I am an appropriator, so let me talk about spending cuts. We have come up with spending cuts: Yes, 27.5 in domestic spending, and 27.5 in defense.

Let me start first with defense, because much has been said about defense. Many tables have been pounded, many chests have been thumped talking about it. And we do have to look out for our military. But our $27.5 billion recognizes the reality of boots on the ground. The reality of boots on the ground. Our troops are coming home. They will all be home by the summer of 2014. Our defense cuts kick in in 2015, so nothing we do will in any way dilute, diminish, end or terminate money that would go to our men and women in harm's way. So our cuts don't kick in until 2015, and then it will be $3 billion a year over a 9-year period, which our generals and our Acting Secretary of Defense, Secretary Hagel, now concur with. So we are OK with defense. And, most of all, the military is OK with it.

Then we also cut domestic spending. Here, we cut $27 billion in the farm bill. It eliminates subsidies we don't need to do anymore. The Presiding Officer is from an agricultural State. We love your cheese. We even from time to time cheer on the Green Bay Packers. So we know agriculture is important. But essentially, we have a tax subsidy structure that goes back to the 1930s—a different economy, a Dust Bowl, people vacating homes in Oklahoma and following the grapes of wrath trail to California. So we came up through the New Deal with a way of subsidizing farms, restoring the land, and restoring people to their land. But a lot of those subsidies aren't needed anymore and, quite frankly, a lot goes to agra business for crops not even planted. So working with the Agricultural Committee—Appropriations didn't do this out of the blue—we come up with $27.5 billion.

Much is said about asking Democrats if we know math. Yes, we know math. We have $27.5 billion cuts in domestic spending, $27.5 billion cuts in defense kicking in in 2015. That is $55 billion. Getting rid of tax-break earmarks and making those who make more than $2 million a year pay their fair share, we come up with 110. Quite simply, that is our plan.

I spoke quite a bit during this week about the impact of sequester. Sequester was never meant to happen. We have got to end sequester. We could do it this afternoon. For all those people who are crying their tears and don't want it, do they want to protect America's middle class, the 99 percent, or do they want to protect billionaire tax-break earmarks? That is the choice. So they can rally: We don't want to pay more taxes. You can't have a government without paying taxes. And ordinary people pay them every day.

Do you know what drives me wild? There is this fix the debt crowd flew in. I watched them fly in. I loved it. They stayed in Washington where they could take expense account deductions while they came to lobby us. And how did they come in? On their subsidized tax-break jets and their expense accounts that they could deduct, from sushi to Cabernet. They came to tell us to raise Social Security. Then they told us to raise the age in Medicare because, after all, people live longer. Maybe when you have all that wealth you can afford health care and you don't need Medicare. Nobody has to take Medicare. If you don't need it, you don't have to take it. If you don't need Social Security, you don't need to take it.

My whole point was, often the very solutions are given by people who get the most tax breaks. That is a pet peeve of mine.

But really what hurts me is this: I represent some of the great iconic institutions in America—the National Institutes of Health, the National Security Agency, each doing its own work to protect the American people. The Federal Drug Administration—I have 4,000 Federal employees keeping our drugs and medical devices safe for the American people. And food safety. We have to make sure those people work so our private sector works and we keep our economy strong.

The Democratic alternative is sound from the standpoint of policy, it is sustainable and reliable. We could end sequester this afternoon.

I will be back to talk more about it. But I think we have a good idea here. Let's not follow the politics and let's not dither in the U.S. Senate.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Rhode Island.

Mr. TOOMEY. Madam President, would the Senator from Rhode Island yield for a question?

Mr. WHITEHOUSE. I yield for a question.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I thank the Senator, the gentleman from Rhode Island.

I wish to ask a question clarifying the procedure. My understanding is there is time reserved for me after the Senator from Rhode Island finishes with his comments.

The PRESIDING OFFICER. No order has been forthcoming to that effect yet.

Mr. TOOMEY. But there will be time available?

Mr. WHITEHOUSE. Having the floor, why don't I propose now that at the conclusion of my remarks Senator TOOMEY be recognized.

Mr. TOOMEY. I have no further questions. I thank the Senator from Rhode Island.

The PRESIDING OFFICER. Without objection, the Senator from Pennsylvania will be next.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am rising today in strong support of Leader REID's proposal to stop the sequester. We need to reduce our debt and deficit. We should do so in a thoughtful manner.

We have so often on this floor heard our Republican friends criticize Democratic legislation as job killing: a job-killing bill, a job-killing proposal. We hear that all the time. Often that charge has been without much factual support, but it is part of the common rhetoric in this room. But now we face an event that actually is expected to cause the loss of 1 million jobs, and yet so many Republicans support these cuts in their fixation, frankly, on what economists call budget austerity, cutting your way out of a recession.

How has the budget austerity record worked? There is a record now, because a lot of countries have tried it—from Spain to Portugal to Greece, countries slashed spending to address deficits in the name of budget austerity. Their record? Lousy. Persistent double-digit unemployment and negative economic growth.

The U.S. unemployment rate of 7.9 percent—which is actually even higher in my home State—is for sure too high, but it is far better than the rate of 26 percent unemployment in Spain and Greece, the record of 16 percent unemployment in Portugal. Our 2.3 percent growth rate may seem inadequate, and it is; but as we recover from the deepest recession we have seen since the Great Depression, it is much better than the negative growth rates in the countries that took the austerity path. The results are clear. The evidence is in from the austerity experiments. The countries that cut the deepest have been hurt the most.

If we want to continue growing our economy and creating jobs, we need to resist the European path that is championed by Republican austerity advocates. We need to maintain the balanced approach that has brought the U.S. economy up out of recession—admittedly, not fast enough. But look at what the alternative has been.

Leader REID's bill would replace the indiscriminate cuts of the so-called sequester with targeted cuts to agricultural subsidies and defense spending—as the chairman of the Appropriations Committee said—after the troops are home when the costs can necessarily come down, paired with revenue not from raising taxes but from closing a loophole, a tax loophole that allows the highest paid people in America to pay lower tax rates than regular middle-class families.

I heard the passion of Senator MCCAIN—and I respect him immensely—on the harm the sequester will do to the military. We have a way out. It is a question of priorities. Do you really want to protect the military from these cuts or is it more important to protect the low tax rates of billionaires? That is the choice, and that is the choice they are making. Leader REID's is a smart and balanced bill, and I hope it will pass.

To put this into some context about where we are on spending cuts, the ranking member of the Budget Committee said this week that President Obama was opposed to spending cuts. I have the transcript of what he said in

committee here: The President believes no spending, even wasteful spending, should be cut.

Well, let's look at the facts. Through the Budget Control Act of 2011 and several other measures, we have cut spending almost $1.5 trillion in the budget period of the next decade. When you include interest savings—the top part—from that reduced borrowing, it comes to $1.7 trillion in spending cuts and associated interest savings.

On the revenue side, we have only generated a little over $700 billion from ending the Bush tax cuts for the top 1 percent—at least over $450,000 in income—and from the associated interest savings. This together puts us $2.4 trillion in deficit reduction toward our goal of $4 trillion in total deficit reduction that most economists agree is needed to stabilize our budget. But notice, in the balance between spending cuts and new revenues, spending cuts are ahead by $1 trillion.

The ranking member of the Budget Committee said President Obama believes no spending, even wasteful spending, should be cut. And he is $1 trillion ahead on spending versus revenues. We have cut $7 of spending for every $3 of revenue, even though right now U.S. Government revenue is at its lowest percentage of GDP in more than 50 years, more than half a century. Our proposal going forward is 50/50, spending cuts and revenues. So let's not pretend we are immune to or allergic to spending cuts. There have been more spending cuts than new revenues. We have tried to find a balanced approach and so far, in this $2.4 trillion, we have not even looked at tax loopholes, at spending that happens through the Tax Code that mostly benefits big corporations, special interests, and super-high-end American earners.

Take a look at how big that amount is. We collect, in individual income tax revenue, a little over $1 trillion every year from individuals. But the total liability of individuals under the Tax Code is over $2 trillion. What happens to this other $1.02 trillion? It flows back out. It never comes into the government as revenues. It goes back to people as tax deductions, loopholes, and various ways that we spend money through the Tax Code.

If you look at the corporate income tax side, it is about the same. We look at our corporations—which, by the way, contribute about one-sixth as much into our national revenue as they used to. They are at an all-time low in terms of contributing to our national revenues in the last couple of decades—60 years, I want to say. They are at $118 billion that actually gets collected and becomes revenue. And there is another $157 billion that is corporate tax liability, but we let them get it back through loopholes in the Tax Code. You put them together and you have $1.16 trillion that we can use to help defeat or replace the sequester.

It is a big deal to look at the tax spending as well as just the revenues that come in. We have done nothing on that yet. That should be part of this discussion. That is what we do in the proposal I put out.

Last year we spent a great deal of time in this body debating whether the top income tax rate should be 35 percent or 39.6 percent, and we ultimately set the rate at 39.6 percent for families whose income is over $450,000. But what we know is that many of those families will never pay anything close to that rate. The Tax Code is riddled with those special provisions that I talked about, the loopholes, the tax spending that disproportionately benefits high-income folks. They are special deals for special interests. Of them all, perhaps the most egregious is the so-called carried interest loophole that allows billionaires—literally billionaires—to pay lower tax rates than regular families. That is why in the last election it became apparent that Mitt Romney was paying something like an 11-percent tax rate.

It is not just Mitt Romney. The IRS tracks the effective tax rates paid by the top 400 highest income earners in the country. In 2009, the last year they have data, the top 400 earned an average of over $200 million each, 1 year's income, over $200 million each. What did they pay in taxes on average? About 20 percent. About 20 percent on average. Some paid more. The nominal rate was supposed to be 35 percent. How many Mitt Romneys are there paying 11 percent in order to average to 20 percent? And 20 percent is the same rate that an average firefighter pays in Rhode Island, or a brickmason pays in Rhode Island. Don't tell me a billionaire hedge fund manager cannot pay a higher tax rate than a brickmason.

It is not just the top 400. The Congressional Research Service estimates that about a quarter of people in America who make more than $1 million a year, about a quarter of them pay lower tax rates than over 10 million middle-income taxpayers. In that sense the Tax Code is upside-down in favor of these high-income earners. Loopholes let them do that.

So we cut across all these loopholes with the so-called Buffett rule. They are supposed to pay 39.6 percent. The Buffett rule says: Ok, take all the loopholes you want, but you cannot go below 30 percent. We will let you take off 9.6 percent of the rate the law says you are supposed to pay but you cannot go below 30 percent. You can't go to 11 percent. You cannot be paying lower than a brickmason pays. That is in our sequester replacement bill. It produces $71 billion.

High-earning professionals can perform another trick. They can avoid paying Social Security and Medicare taxes simply by calling themselves corporations for tax purposes. You heard the Republican Presidential candidate say corporations are people. This is the flip side. These people are corporations. If you make enough money you can afford to turn yourself into a corporation to dodge paying your Social Security and your Medicare contributions. So the second item on my list closes that loophole too, which is another $9 billion.

The next item on the list contributes $3 billion by ending special depreciation rules for private jets. Private jet owners can depreciate their aircraft faster, for tax purposes, than commercial aircraft. I am very happy for anybody who is successful enough to have a private jet. But that luxury need not be subsidized by taxpayers. Setting aside the need for this because of the sequester, this is a change that makes sense just on fairness grounds. It stands on its own and it is another $3 billion.

The fourth provision in my bill would end tax breaks for big oil companies. Over the past decade the big five oil companies have collectively enjoyed over $1 trillion in profits—yes, trillion with a T. Repealing taxpayer giveaways to them is something we should be doing anyway. It is another $24 billion toward getting rid of the sequester.

The final provision in my plan helps replace the sequester by ending a tax break that, unbelievably, rewards manufacturers that close up shop in the United States and move jobs to other countries. It does that by allowing those corporations to indefinitely delay paying taxes on profits from those foreign overseas operations. Ending the deferral loophole for companies that manufacture goods overseas for sale to American customers is something we should do anyway to support our domestic manufacturers. It adds almost $20 billion toward replacing the sequester cuts.

Each one of these five provisions would make the Tax Code more fair for ordinary Americans. I love our chairman of Appropriations. She can speak to issues on the floor of the Senate like nobody else. When she said these are cushy, lobbyist-driven earmarks, she is dead right. They do not deserve to stand on their own. And we can get rid of some of the smelliest ones and spare ourselves the sequester and the loss of a million jobs at the same time? Gosh, I think we ought to be doing that.

I strongly support Leader REID's bill to replace the sequester cuts with a 50/50 mix of revenue and spending. But I also want to show we can avoid the sequester for the coming year by looking at the vast tax spending we do through loopholes and gimmicks in the Tax Code—usually for the benefit of powerful corporations, special interests, and very high-income individuals. When you set that against the economic harm the sequester is going to cause to our country, closing those loopholes should be a higher priority, on economic grounds and on grounds of fairness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

HOUSE PASSAGE OF VAWA

Mr. LEAHY. Madam President, I thank the distinguished Senator from Pennsylvania for allowing me to go first. I assure him I will be very brief. I know the distinguished Senator from Washington State is here. She has an interest in what I am going to say because of her very strong support of the Violence Against Women bill.

Earlier this month, the Senate came together in the best tradition of the chamber to pass the Leahy-Crapo Violence Against Women Reauthorization Act with a strong bipartisan vote. I am happy to report that the House of Representatives just passed the Senate-passed bill. This vital legislation will now go to the President, and it will be signed into law. It will help victims of rape and domestic violence and victims of human trafficking who could not wait another day for us to act. This action of Congress will prevent terrible crimes and help countless victims rebuild their lives.

Today Congress showed that we still can act in a bipartisan way. I thank Senator CRAPO for being my partner on this legislation from the beginning, and I was glad when he and Senator MURKOWSKI, another steadfast supporter, joined me on a bipartisan letter earlier this week asking Speaker BOEHNER to pass this legislation to help all victims of domestic and sexual violence. Today, the House followed the Senate's example, and listened to the call from thousands of survivors of violence and law enforcement by passing this fully-inclusive, life-saving legislation with a bipartisan vote.

We made the Violence Against Women Act our top priority this Congress but it should not have taken this long. Our bill was written with the input of law enforcement, victims, and the people who work with victims every day to address real needs. None of the commonsense changes it included should have been controversial. Still, at a time when we face gridlock and stonewalling on even the most compelling issues, I am glad to see that we could find a way to cut through all of that to help victims of violence.

This new law will make lives better. It will encourage and fund practices proven to help law enforcement and victim service providers reduce domestic violence homicides. It will lead to more investigation and prosecution of rape and sexual assault crimes and more services provided to victims of those crimes. It will also help eliminate backlogs of untested rape kits to help those victims receive justice and security promptly.

This reauthorization, like every VAWA reauthorization before it, takes new steps to ensure that we can reach the most vulnerable victims whose needs are not being met. For the first time, it guarantees that all victims can receive needed services, regardless of sexual orientation or gender identity. This law strengthens protections for vulnerable immigrant victims. It ensures that colleges and universities will do more to protect students from domestic and sexual violence. This reauthorization also takes important new steps to combat the appalling epidemic of domestic violence on tribal lands and to ensure that no perpetrators of this terrible crime are above the law.

The bill that the President will sign also includes the Trafficking Victims Protection Reauthorization Act, which continues and strengthens effective programs to help us take on the scourge of human trafficking. It is unacceptable that 150 years after the Emancipation Proclamation, the evils of sex trafficking and labor trafficking, forms of modern day slavery, still exist around the world and even in the United States. It has been too difficult, but I am glad that Congress is finally acting once again to address trafficking.

I will never forget going as a young prosecutor to crime scenes at 2:00 in the morning and seeing the victims of these awful crimes. As we worked on this bill, I heard the moving stories in hearings and rallies and meetings of those who survived true horrors and had the courage to share their stories in the hopes that others could be spared what they went through. We have finally come together to honor their courage and take the action they demanded.

I thank the many Senators and Representatives of both parties who have helped to lead this fight, and the leadership of both Houses who have prioritized moving this vital legislation. I thank Representative COLE for his steadfast dedication to help preserve the protections for Native women. But most of all, I thank the tireless victims, advocates, and service providers who have given so much of themselves to ensure that this legislation would pass and that, when it did, it would make a real difference. Lives will be better because of their work and because of this law.

I yield the floor and thank my colleagues.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. TOOMEY. Madam President, I rise to address the issue of the sequestration and the Democratic and Republican alternatives. But I want to start by expressing how disappointed I am that we are having the debate in this fashion. This is certainly among the very most important issues we are grappling with—should be grappling with as a Senate, as a Congress, as a Federal Government. Getting ourselves on a sustainable fiscal path is as important as anything we can be doing. The sequestration is an important part of that, and unfortunately the majority party here does not want to have a full and open debate and will not permit multiple amendments from both sides.

I don't know how many ideas there are on the Democratic side. I know there are at least three or four or five different ideas on the Republican side. Frankly, I think any sensible approach to this ought to have a full and open, robust debate and I am happy to vote on every one of them. I will vote against some, I will probably vote for others. But why in the world would we say there can only be two choices, one Democratic choice and one Republican choice? I have to say I am extremely disappointed that we have gotten to this point where we cannot have an open debate and amendments on a wide range of ideas, because the challenges require that kind of response. It is very disappointing that the majority party refuses to conduct that debate and appears unwilling to have those votes.

Nevertheless, I have developed a bill, together with Senator INHOFE, which I think is a much more sensible way to achieve the savings we badly need. I will say unequivocally, we need to trim spending. We cannot continue spending at the rate we have been spending money. We cannot continue trillion dollar deficits. We have a $16 trillion debt. The massive deficits and the accumulated debt are today costing us jobs and holding back our economy, so we need to begin the process of getting spending under control. Frankly, the sequester barely starts that process.

The President has been campaigning around the country, spreading this idea that somehow we are going to have a complete economic disaster and meltdown if this modest spending discipline goes ahead. We keep hearing about austerity. The question is, what austerity? Let me put a little context into what we are talking about here.

First of all, over the last 12 years, the Federal Government has doubled in size. We spend 100 percent more now than we did a dozen years ago. After this huge run-up in the size of Federal spending, this sequester—if it goes into effect or its equivalent—would reduce spending by 2.3 percent. After growing by 100 percent, we cannot find 2.3 percent? By the way, that is budget authority, which means permission to spend the actual amount that would be spent during this year would go down by about 1.2 percent. That is less than one-half of 1 percent of our economy.

Here is the other thing. This is how much austerity we are talking about: If the savings of the sequester go into effect, total spending by the government in 2013 will be greater than spending was in 2012. So let's just be clear about what is going on here. This is not nearly the amount of savings we need. This is merely one step in the right direction. While government has been growing, the economy has not. We have had all of this spending growth. We have had massive deficits. What have we gotten in return? The worst economic recovery from any recession since the Great Depression.

We have an unemployment rate that is persistently unacceptably high. Eight percent is the official measure of unemployment, but when we take into

account the people who have given up looking for work altogether, it is much higher than that. The fact is economic growth doesn't depend on a bloated government that is always growing.

In fact, we will have stronger economic growth as soon as we begin to demonstrate that we can get on a sustainable fiscal path, as soon as we can start to take the threat of a fiscal collapse off the table by showing we can get spending under control. It is absolutely essential for the sake of our economy and job growth that we achieve the savings of this sequester.

I am the first to acknowledge there are a couple of problems with the way this legislation goes about it, and that is the reason I introduced this legislation along with Senator INHOFE. The two big problems are, first, the savings hit our defense budget disproportionately. The defense budget is about 18 percent of total spending, but it is half of this whole sequester, and that is after we have already cut defense spending. I am very sympathetic to the concern that this imposes a real problem on our defense budget.

The second problem is that the cuts are not very thoughtfully designed. There is no discretion or flexibility. The categories that are subject to the sequestration are spending cuts across the board. There are huge categories that are not subjected, such as the entire Social Security Program and many others that are not affected at all. But for those programs that are cut, there is no ability to discern which programs ought to be cut more or which ones ought to be cut less and which ones, perhaps, should not be cut at all.

The bill Senator INHOFE and I have introduced and will be voting on today—at least the cloture motion—addresses both of these problems. It does require that we achieve the savings of the sequester—and that is very important—but it would allow the President flexibility in how it is achieved so we don't have these very ham-handed, poorly designed, across-the-board cuts.

If the bill passes, the President will be able to go to his service chiefs on the defense side, he could go to his agency and department heads on the nondefense side and say: OK. Look, you have been used to budgets that keep growing and growing, and that is what has been happening. This year you are going to have to cut back a little bit. It will be a few pennies of every dollar. Look for the programs that are working least well or not at all. Look for areas where there is waste and inefficiency. Look for redundancies, and that is where we are going to trim a little bit, and we will hit these goals.

That is what competent managers in any business would do. That is what families have to do, and that is what State and local governments have to do. That is what we need to do here, and that is what this bill would enable the President to do. He would have to find the areas where we can make the cuts without causing great disruption.

This is not a blank check for the President. There are constraints on what the President could do under the legislation that Senator INHOFE and I are proposing. For instance, there could be no tax hike. We don't think we need still more tax increases after all the ones we have recently been through. The defense cuts could not be any greater than what is contemplated in the current sequestration. Under Senator INHOFE's approach and mine, they could be less. The President could choose to follow the advice of his senior military advisers and cut the defense budget a little bit less and shift this elsewhere.

I am one who believes our defense budget should not be exempt from scrutiny, from spending discipline, and some cuts, but I think they ought to be done carefully and thoughtfully.

The President would not be able to increase any amounts. This is not an exercise in just shifting money to another account. It is a question of where we can do the cuts most thoughtfully and sensibly. Any cuts in the defense budget would have to be consistent with the National Defense Authorization Act that has been passed. The President would have to achieve 100 percent of the savings; that is part of this. He could not use any gimmicks to do it. There would be no phony cuts in the future offset by promises for cuts at another time. There would be none of that. It would have to be straightforward and honest.

Finally—and I think this is an important part—Congress would have a final say. When the President—under this approach if it were to pass and be signed into law—would be required to propose an alternative series of cuts, and then Congress could vote to disapprove them if Congress chose to do that. Ultimately, Congress would still control that important element of the purse strings, but we would allow the President to find the most sensible way to do this.

The President is saying he does not want this flexibility. That is kind of unbelievable to me. He is going around the country scaring the American people and threatening all kinds of disastrous things he says he will have to do. Then in the same breath he says: By the way, don't give me the flexibility to do something else. I don't understand that. It seems to me the obvious thing to do is to do these cuts in a way that would not be disruptive and would not do harm.

Let me give one particular example: A good example is the FAA. If the sequester goes into effect on the FAA, the budget there will be cut by $670 million. That is from a total of just about $17 billion.

The President and the Transportation Secretary have said if the sequester goes into effect, they are going to lay off air traffic controllers; they might have to shut down control towers; we will have long delays at airports with flights being canceled. All kinds of problems. It is interesting to note, if the sequester goes into effect, the amount of funding available to the FAA will still be more than what the President asked for in his budget.

In his budget request was the President planning on laying off air traffic controllers and shutting down airports and control towers? I rather doubt it. So if we gave the President the flexibility just within the FAA budget, the President could adopt the kinds of savings that he proposed in his own budget and have enough money to pay all of the air traffic controllers and keep the airports running. The point is even within the FAA's budget, there would be no service disruptions whatsoever. They are not necessary.

Our bill would give the President even more flexibility. He would be able to achieve savings in other areas. In other words, he would not have to hit a particular savings number for the FAA. He might find savings in other places. Let me suggest we have an unbelievably lengthy list of opportunities to reduce excessive and wasteful government spending. Instead of closing down air traffic control facilities or military bases or FBI offices, maybe what the President could do is cut back on Federal employee travel.

We spend $1 billion a year for Federal employees to go on conferences and trips. Maybe we could cut back on the cell phone subsidies where we buy cell phones for people, costing $1.5 billion a year. We spend millions of dollars on an old-fashioned style trolley in St. Louis, millions on a sports diplomacy exchange program. We have 14,000 vacant and underutilized properties. We spend money for a cowboy poetry festival and $1 million for taste-testing foods to be served on Mars.

I don't know about anybody else, but I think some of these are a little less important than keeping our air control system intact and safe. To me, it seems like common sense that we ought to give the President the discretion he needs to reduce the spending on the less vital things and continue to fund the important things.

We don't have to only go after wasteful spending, we have an unbelievable number of redundancy in duplicate programs. I have just a few examples. We have 80 different economic development programs spread across the Federal Government. We have 94 different programs to encourage the construction of green buildings. We have 47 different job training programs.

Doesn't it make sense if we are going to have some savings that we look to those programs that are not working so well? It cannot be that every program is equal. I guarantee that some of them are not working so well. I would like to think that the administration has metrics for performance and it knows which ones are performing better and which ones are not. We could concentrate the cuts on those that are not working or we could decide to consolidate this huge plethora of programs

and save a lot of money and overhead in administrative and bureaucracy costs.

There is just any number of ways to achieve savings. Senator TOM COBURN has made an enormous contribution to our Federal Government by providing exhaustive litanies of duplication, redundancies, waste, and excesses. In addition to what I have mentioned, that would be a very useful place to begin in terms of finding alternatives.

I would simply say we have a simple choice here. This sequester is going into effect. Nobody here suggests they have the votes or they have a way to prevent it. So the question is, Are we going to achieve these savings through badly designed spending cuts that make no attempt whatsoever to distinguish between more sensible government spending and less sensible government spending or will we adopt this bill that Senator INHOFE and I have introduced which will give the President the flexibility to cut where the cuts would not be painful, where there is waste, and where there are excesses? We are talking about what will amount in actual outlays to a little over 1 percent of the total government spending. This is a government that has doubled in size in the last 12 years.

The people in Pennsylvania who I represent don't believe that every dollar of government spending is spent wisely and prudently and is necessary. They know that there is a lot of waste.

This is all about the next 6 months. As we know, the $1.2 trillion in savings in subsequent years is achieved by statutory spending caps. In those years the savings will be figured out by the Appropriations Committee, which is where this should be happening. I wish we had taken up an appropriations bill over this last year, but we didn't. At least given the reality that we face, we have an opportunity to avoid the kind of calamity and disaster that is being threatened and is completely unnecessary.

I hope we will do the commonsense thing and adopt a bill that will give the President the flexibility he needs to make these cuts in a rational and sensible fashion. We need to achieve the savings for the sake of economic growth and job creation. This is no time to trade higher taxes for more spending, as my Democratic colleagues would prefer. This is a time to make sensible cuts in spending. We can do that, and I urge adoption of the measure that Senator INHOFE and I have proposed.

I yield back the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, in the last 2 weeks we have learned more and more what the across-the-board cuts for sequestration really mean for our families and our communities that we all represent. We have heard of workers who are on pins and needles about getting a layoff notice. We have heard from businesses that are expecting fewer customers. We heard from school superintendents wondering how they are going to absorb deeper cuts on the budgets that are already extremely tight.

After 2 years of watching our economy lurch from crisis to crisis, I think we can all agree the American people have dealt with more than enough of this. That is why I am here today urging our colleagues to support the American Family Economic Protection Act which will replace the automatic cuts from sequestration in a responsible and a fair way.

Our legislation builds on the precedent that was set in the year-end deal, and it is in line with the balanced approach that the American people favor. It would replace the first year of the sequestration with equal amounts of responsible spending cuts and revenue from the wealthiest Americans and biggest corporations. Half of the deficit reduction would come from responsible cuts evenly divided between domestic and defense spending.

As the drawdown from Afghanistan is completed, our bill will make targeted reductions in an overall defense budget which will be phased in responsibly as the drawdown from Afghanistan is completed and are in line with the strong military strategy for the 21st century.

Our bill would eliminate the direct payments to farmers that have been paid out even during good times for crops that are not grown. Those are the kinds of cuts we can and should make, because responsibly tackling our debt and deficit is crucial to our country's long-term strength and prosperity.

But to do this in a way that puts American families and our economy first, we are all going to have to do our fair share, and middle-class families and seniors and the most vulnerable Americans shouldn't be asked to share the whole burden alone.

Our bill would replace half the sequestration with new revenues from the wealthiest Americans and biggest corporations. It calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as our middle-class families pay. It will help reduce the deficit by eliminating a tax break that encourages companies to ship jobs overseas and by getting rid of a special tax loophole for oil companies. At a time when there are so many American families struggling just to get their kids off to college or to pay their mortgage or to put food on the table, it only seems fair to ask those who can afford it the most to contribute to this national challenge as well.

My Republican colleagues will say the year-end deal closed the door on revenue. Most of them seem to think that closing loopholes for the richest Americans is too high a price to pay—even to replace the serious cuts to defense that are going into effect. Instead, they say all we need is more spending cuts.

But that is not how the American people see it. More than a month after the year-end deal, 76 percent of Americans—and, by the way, 56 percent of Republicans—favored a combination of spending cuts and revenue increases to reduce our deficit.

We also know the American people want an end to the cycle of looming deadlines and uncertainty and political posturing we are seeing here in Washington, DC. They have spent enough time wondering if infighting in Congress will affect their paycheck or the businesses they have worked hard to rebuild or the future they want for their children. I think we can all agree our constituents deserve a solution and some certainty.

So our legislation meets Republicans halfway. It reflects the balanced approach the majority of the American public wants. It protects families and communities we represent from slower economic growth and fewer jobs and a weakened national defense. And it allows us to move past this sequestration debate toward a fair, comprehensive budget deal that provides certainty for American families and businesses.

While the Democrats have taken a balanced and responsible approach in our sequestration replacement bill, Republicans have gone in a very different direction. They seem to be more focused today on trying to make sure President Obama gets the blame for these cuts than actually trying to stop them. We have all been hearing from our constituents. They want us to come together to solve this problem. They want to see compromise. They want to see a balanced replacement. But the Republican Inhofe-Toomey bill fails to meet these expectations. It does not solve the problem. It doesn't stop sequestration. It is not a compromise. I urge all of our colleagues to oppose it.

The Republican Inhofe-Toomey bill would keep in place the massive cuts to both domestic and defense spending. It wouldn't replace them; it would lock them in. Instead of making the tough decisions required to replace those cuts with responsible deficit reduction the way our bill does, the Republican bill simply hands the problem off to the President. Instead of taking a balanced approach—the approach that is favored by the vast majority of the American people—the Republican bill would protect the wealthiest Americans and biggest corporations from paying even a penny more in taxes to help us solve this, while pushing the entire burden of deficit reduction onto the backs of our families and our communities and national defense programs. Their bill would protect defense spending from cuts, open up nondefense spending to more cuts, and specifically prohibit raising revenue to replace the cuts.

One of my Republican colleagues who is very concerned about the cuts to defense spending that would be locked in by this Republican bill called this approach ''a complete cop-out.'' That

same Republican said if something such as this were to pass, Republicans would be forcing President Obama to make impossible choices and then ''every decision he'll make, we'll criticize.''

Another Republican opposed this approach as well, saying, ''I believe the appropriations process belongs in the legislative branch.'' That is us.

The Republican bill will be devastating to our economy. The Congressional Budget Office has estimated that sequestration would cause 750,000 workers to lose their jobs by the end of this year. They estimate the economy would shrink by six-tenths of a percent by the end of the year. Federal Reserve Chairman Ben Bernanke said on Tuesday that rearranging these cuts would not have any substantial impact on the near-term economic picture.

Republicans have spent months talking about how they would not raise taxes on the rich and that we need a cut-only approach. But now they can't even agree on a bill that names a single cut. They want the President to do it. Leader REID and Leader MCCONNELL agreed to have these votes we are having today over 2 weeks ago, and it took the Republicans until last night to decide what they were even going to bring to the table. After all that time, they decided to play political games and not make any of the tough choices.

Tackling our debt and deficit responsibly is a serious issue, so I hope Republicans get serious. I hope they will listen to their constituents, come back to the table, and work with us on a responsible replacement to these automatic cuts that are scheduled to begin tomorrow.

I urge my colleagues to support our approach, the American Family Economic Protection Act, and to oppose the Toomey-Inhofe bill.

VAWA

Before I yield the floor, I wish to say that I am very pleased the House of Representatives just took up and passed the long delayed, very hard-won, and badly needed victory for millions of women in this country, the Violence Against Women Act that was just passed. That means that after over 16 months of struggle, tribal women in this country, the LGBT community, immigrants, and women on colleges campuses will now have the tools and resources this life-saving bill provides.

The passage of VAWA today is validation of what we all have been saying on this side, and I am proud of the Senate for its bipartisan work. I see Senator CRAPO here today, and I thank him for his leadership on this critical issue.

I have heard from so many women throughout this months-long battle, and I especially want to mention one woman today: Deborah Parker, a member of the Tulalip Tribe from my home State who happened to be here the day many months ago when Congress wanted to dump the tribal provisions in order to move the bill. She stood up with all the courage she could muster and told the story she had never told before about the abuse she had suffered while she was a very young girl and watching the same person who abused her abuse other tribal members because she had nowhere to go for recourse.

Today, that changes, for Deborah Parker and for thousands and thousands of other tribal members and other women and men in this country. I am very proud of the bipartisan work and I am very excited that this President is going to sign this bill into law and pass something that is going to make a difference in the lives of many Americans.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, as I look at my watch, the clock is ticking toward midnight. Midnight becomes March 1, and that is the point at which the sequester kicks in, which is the across-the-board cuts—hardly massive when this year it will be about 1.2 percent of our total outlays this year. So, I am not sure how the word ''massive'' can be used with any credibility; but, nevertheless, this is going to happen.

Republicans have proposed a way to address the President's concerns—the very concerns that have been stated on this floor—including the concern that across-the-board cuts is no way to govern because it doesn't separate the essential from the nonessential. I think we as Republicans couldn't agree more. It is not the best way to govern, because it treats everything on an equal basis and basically says that every Federal program, no matter what its performance over the years, doesn't deserve a look at how to adjust it for its lack or strength of performance. It doesn't separate what the essential functions of the Federal Government are from the ''this is what we would like to do but can't afford to do right now.'' So, to say that this government and the out-of-control spending that has occurred over these last several years is totally functional and that every penny we have spent is wisely spent and has been done in the interests of the taxpayer and protecting their hard-earned dollars, and that the money we are extracting from them through ever-increasing taxes—some of which happened less than 2 months ago on every American; every American's paycheck was reduced. It is not just the millionaires and billionaires who took the hit, because $620 billion over 10 years of money comes out of Americans' paychecks. So, for someone to say that what we are doing is massive when this year it amounts to a 1.2-percent cut in total spending, when virtually every business in America, every family in America has had to tighten its belt, given the recession and the slow economic growth, when we continue to have 23 million unemployed or underemployed people in this country, and then to simply say we don't have a spending problem, as the President famously said, defies common sense.

We don't need fancy explanations or fancy words such as ''sequester'' for the American people to understand what is happening here. They see their States having to tighten their belt. They see the companies they work for having to tighten their belt. And, as families, they see themselves having to cut back on some of their spending or some of their future plans because they no longer can afford to do it. The only entity they see in the United States not addressing a fiscal imbalance is the U.S. Government.

In an attempt to deal with this a year and a half ago, Congress passed the so-called sequester. The sequester was a fallback in case we weren't able to come to grips with the problem we have and reach an accommodation, an agreement, on how to address it in the best way possible. This was the fail-safe. And all the attempts, starting with the President's own commission, which he rejected, and then the Gang of Six proposals, and then the super-committee of 12, all of the efforts, many of them on a bipartisan basis, for whatever reason did not succeed. So, what was put in place to drive a solution, didn't drive a solution, and as a result, here we are with a sequester. But, to say the sequester cutting, this year, 1.2 percent from total spending, is going to make the sky fall and cause a total economic meltdown and keep people from getting on their planes and keep us from ordering meat because meat inspectors can't go to the meat processing plants to certify the quality of the meat, and all of the things the President is out campaigning for, for his own program—it was the President's idea. Maybe it was his staff, but he certainly had to agree to it. It was proposed by the President and now he is out campaigning against it. In fact, it wasn't that long ago when he said if it didn't go into effect, he would veto it. So there has been a real change here, and I won't go into the motivation for all of that.

There is also talk about balance. Balance is a code word for new taxes and for more taxes. It has been said over the past couple of years, during the campaign and leading all the way up to the fiscal cliff vote, that Republicans would refuse to give in on any kind of tax increase, even if it was on millionaires and billionaires. In the end the President won that battle and Republicans supported it. Even though we did not believe that was the best way to go forward to get our economy to grow and to provide the kind of economic growth we are all looking for, we supported that. Now, we here we are just two months later with the same tired phrase that Republicans won't take 1 penny from the rich when they just took $620 billion from the rich; therefore, what we need are more taxes on the American people to achieve balance.

It seems the White House has an obsession with solving this problem through increasing taxes and not wanting to make the hard decisions to cut even 1.2 percent of our total budget—2.4 in succeeding years. To say we cannot, through our oversight responsibility, find 2.4 percent, and this year 1.2 percent, of waste, of corruption, of misuse of programs that no longer are viable—maybe they were well-intended in the past but they certainly have not proven themselves worthy of asking taxpayers to keep sending their hard-earned money to Washington in order to cover that spending—when Senator COBURN, Senator TOOMEY, when many of us—I have been standing here every day in virtually every session basically saying, just through waste and ineffective programs we can easily come up with this amount of money. Everyone else in America has had to do it. Why can't we?

The charge we have heard over and over is that this is such a terrible way to address it that we need the flexibility so these agencies can move the money around and take the money from the nonessential programs to keep the security at the airports with the FAA and the air traffic controllers and also keep the meat inspectors and the others who are essential.

In order to keep them from having to take the hit, we came up with the idea—Senator TOOMEY and Senator INHOFE—that gives the executive branch the flexibility. That is what they have been asking for all these years. If we have to have the sequester, just do not do it across the board because it forces us to do things we do not want to do. But if we had the flexibility—if you could give us the flexibility—then we could move the money within the accounts and we would still reach the same amount of cuts—the 1.2 percent of this year's budget—but we would have the flexibility to not have to scare people or keep people waiting in lines at airports for 4 hours and do all the things, all the doomsday scenarios that have been proposed by the President and his Cabinet members.

We bring that forward and then suddenly there is a 180-degree reversal on the other side, which basically says: No, no, no. We do not want flexibility. That is not the way to do it. Well, what do you want? Yesterday you wanted flexibility. Today we gave it to you, and today you are saying: No, we do not want that. It sounds like what they want is only a solution to this problem if there is a big increase in taxes.

This word ''balance,'' which I say, is a code word for taxes. I just came from the Joint Economic Committee where a very respected economist, Michael Boskin, said: Balance is not 50–50 if you want economic growth because every dollar you raise in taxes is a hindrance to economic growth. He said: I am not saying there should not be increases in taxes. But the ratio should be ''5 or 6 to 1.'' If you want to position this country for growth, you need about five to six times the amount of spending cuts as taxes increased.

So balance—50–50—according to a very respected economist and many others—I do not know of anybody who said raising taxes encourages growth because it takes money out of the private sector and gives it to the public sector. But rather than get into that argument today, what the President defines as balance is simply evermore taxes to solve our problem, when we know that after 4 years of effort here that has not worked, and it will not work.

Mr. DURBIN. Mr. President, will the Senator from Indiana yield for a unanimous consent request? I will yield the floor right back.

Mr. COATS. I am happy to do that.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that notwithstanding the motion to proceed currently pending, at 2:30 p.m. the Senate resume the motion to proceed to S. 16 and the Senate proceed to the cloture votes on the motions to proceed as provided under the previous order, with the time until 2:30 p.m. equally divided between the two leaders or their designees; further, all other provisions of the previous order remain in effect.

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

Mr. DURBIN. Mr. President, I thank my colleague for yielding.

Mr. COATS. Mr. President, I am going to wrap up because my colleagues want to speak also.

But, let me say this: I have been saying from this platform, and I have been saying from everywhere people will listen that we need to move to a solution to the problem. The solution to the problem involves, I believe, three or four essential elements, and I think there is widespread consensus on this among liberals, conservatives, Democrats, Republicans, economists, and others. Unless we address that which is growing out of control—which is our mandatory spending—no matter what we do on the spending level and no matter what else we do, we are not going to solve this problem and we are going to keep careening from short-term fix, short-term measure to the next one, from fiscal cliff to fiscal cliff.

Already, we have another cliff which people have not paid much attention to at the end of this month, where we have to fund the government for the rest of the year. That will be another drama, soap opera, played out before the American people. In May, we hit the debt limit.

None of this is necessary. None of this had to happen if we had taken the steps we knew we needed to take that were presented in the Simpson-Bowles presentation to the President years ago and, unfortunately, rejected that and basically said we are headed for catastrophe, we are headed for insolvency because this mandatory spending is growing out of control and the amount of discretionary spending we have which we can control is ever shrinking.

Yes, we need to sort out the fat, the duplication. My colleagues and I have been laying out things that I do think any American who looks at it carefully would say: Of course we do not need that, of course that is not an essential function of the Federal Government. It has had a miserable performance as a program. Why do we keep throwing money at it, particularly at a time of austerity when so many people are out of work.

Yes, we need to do that. But that needs to be coupled with what I think there is almost full agreement on: The need for comprehensive tax reform. That is where closing the loopholes, which Republicans are willing to do in order to lower the rates, to make us more competitive and make our Tax Code much simpler and much fairer—that needs to happen. Of course, it cannot happen if we take closing loophole money and use it for spending, which is what the President wants to do instead of using it to make our code simpler, fairer, and make us more competitive around the world and to promote growth.

That is a proven process. Unless we put that together with some regulatory reform—but most important of all and most essential of all is to address the runaway mandatory spending, which if not addressed will undermine the sanctity and the solvency of entitlement programs such as Social Security and Medicare. The trustees—do not trust a Republican conservative saying this—the trustees of the programs have said: ''You have to deal with this, and the longer you put it off, the tougher it is and the more painful it will be.''

This morning, again, Dr. Boskin and even Dr. Goolsbee—the President's former Economic Council head—said you have to do this, you have to take it on. You are taking it on to, one, save the programs, two, save the country from bankruptcy, and, three, give us the opportunity to have funds to pay for the essential functions of government.

We are not against government. We want it to be leaner, more efficient, more effective. My State has taken measures that quintuple what is being talked about here. We ended up achieving a surplus. We have a AAA bond rating. We have made our State government the most efficient, effective government with taxpayer dollars of any State in the country.

It can be done, and it can be done here. But what we have that is different from what our States have is the fact that mandatory spending—that spending which we have no control over—is eating our lunch. Until we step up and deal with it, we are not going to solve this problem; we are going to keep careening from crisis to crisis.

The real issue is—at this point, with the sequester going in place—can we step up and sensibly adjust it through flexibility in terms of how we reach

that goal? Can we summon the will and the political courage to do what we all, I believe, know we need to do; that is, simply to do what is right for the future of America—America's interests not our own political interests?

Finally, in my opinion, that cannot be done, despite all the time, all the efforts made, many on a bipartisan basis—Simpson-Bowles was bipartisan, the Gang of 6 was bipartisan, the Committee of 12 was bipartisan. It is not true we are at a standoff in terms of how to go forward. What we have not had is leadership from the White House. Something of this magnitude cannot be done without Presidential leadership, and the President has refused to do anything other than plead on a campaign basis for yet evermore taxes, which he calls balance.

So that is our challenge.

We need you, Mr. President, to lead the way. We will work together with you in putting together a package which achieves the right ratio. We will work together to do what is right for the future of America and not what is right for our political future this year or next.

I guess we are pleading with the President. Similar to Presidents of the past—Ronald Reagan, a Republican, and Bill Clinton, a Democrat, took on the toughest issues and together we worked for the benefit of our people and for the future of this country and we made enormous strides in that regard. But it would not have happened had the President not become engaged. At this point, the only engagement the President has made is to call for higher taxes and go out and campaign against those of us who are trying to sincerely address this problem.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to applaud the passage by the House, just a little while ago, of the Violence Against Women Act.

I wish to also congratulate my colleagues, Senator LEAHY, my neighbor from Vermont, and Senator CRAPO, who is on the floor today, for their leadership in getting this legislation passed so early in this session and for helping to see that it got shepherded through the House where it had been so challenging.

This is legislation that treats all victims equally regardless of whether they are Native Americans, whether they are members of the LGBT community, whether they are immigrants. It supports law enforcement by providing critical funding for police officers and prosecutors so they can hold abusers responsible. It supports crisis centers for women and families, to provide for immediate needs such as shelter and counseling.

On behalf of the thousands of women and families in New Hampshire who will benefit because of this reauthorization, I wish to thank all the 268 Members of the House who voted for it and all the people in the Senate where it had such a broad bipartisan majority.

Again, I thank my colleagues, Senators LEAHY and CRAPO, for the leadership they provided in getting this done.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I too want to stand to congratulate the House for their passage of the Violence Against Women Act. I thank the Senator from New Hampshire for her kind remarks.

I am honored to have worked on this bill with Senator LEAHY and my other colleagues in the Senate. Senator LEAHY and I have worked together for years on issues of domestic violence and stalking, and this is one of the key endeavors we needed to get across the finish line. Now we see that we will, and we will send this important legislation to the President.

I would also like to commend the advocates across the Nation and specifically the Idaho Coalition Against Sexual and Domestic Violence who have worked tirelessly on this issue.

As a longtime champion of the prevention of domestic violence, I am glad to see there are areas in Congress where we can come together to support these important causes.

This act provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those individuals. For nearly two decades, the Violence Against Women Act has been the centerpiece of our Nation's commitment to ending domestic violence, dating violence, and sexual violence. This legislation provides access to legal and social services for survivors. It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation's communities. It provides intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn.

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

These important provisions are making a difference in the lives of people across this Nation. I again wish to commend all of my colleagues who supported this legislation and helped to move this critical piece of legislation to the President's desk.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I rise to speak about the vote we are going to have today at 2:30 regarding sequestration, and I wish to strongly support the notion of giving the executive branch the flexibility it needs over the next 7 months to work through this situation in a more graceful way.

To put this in perspective for the American people, we are going to spend $47 trillion of your money over this next decade. It was incumbent upon a bipartisan group about a year ago to try to come up with about $1.2 trillion in savings over that 10-year period. Believe it or not, that didn't happen. The sequestration was a method to ensure that at least there was some reduction in the growth of spending. I do want to say that there have been a lot of discussions about reductions in spending.

The overall effect of sequester over this 10-year period is not to reduce any spending but to slow the growth of spending over the next 10 years. We are one of the few entities in the world that don't budget off of last year's spending. It is not like your city, your county, your State government, your household, or your business. We budget off of projections and growth.

The task a year or so ago was for six Republicans and six Democrats to come up with $1.2 trillion. It is beyond belief that this did not occur. The sequester was put in place as a mechanism to ensure that there at least was some slowing of growth. The first 7 months of the sequester is the most ham-handed portion of it. It is cut at the PPA level. It is across the board and focused on two important categories. I agree that it is ham-handed, and the only thing worse than sequestration, in my opinion, would be kicking the can down the road on some much needed fiscal discipline here in Washington.

I hope what we will do today is get behind a very thoughtful proposal that would say: Look, we are still going to reduce spending by this amount, but we are going to give the executive branch, because this first 7 months is handled so differently that what happens after that—by the way, appropriators live within a top-line number, but they are able to weigh in on how that money should be spent, again, in two more specific categories than just the overall budget. So it is just this first 7 months.

I was at home last week in Tennessee and spoke with diverse groups of citizens.

Democrats thanked me for being willing to give some flexibility to the President to work through this.

Businesses obviously held this as incredibly intelligent. They need to deal with these kinds of issues right now. Many of them over the last several years have had to do the same kind of thing. Obviously, to them, it is very intelligent to give the executive branch a degree of flexibility where they have some transfer authority to work through this in a more graceful way.

Republicans thanked me because it was a way for us to at least begin turning the curve in a different direction

and certainly still having the cuts that are necessary in growth, I might add, not in real spending. That is where we are.

We have a proposal, the Toomey-Inhofe proposal, which gives the executive branch the flexibility to work through this. It is my understanding they don't want that flexibility. I can't imagine being President of the United States and having something that I thought was a little bit ham-handed and having Congress say: Look, we will candidly defer to you to make some transfers.

I have spoken with some of the folks in our security apparatus in this Nation. They said this to me: CORKER, look, we understand we are going to have some reductions, but if you would just give us some flexibility, we could work through this gracefully. We could live within these constraints.

Speaking of these constraints, I want to say that there is a number that has been thrown out of $85 billion over the next 7 months. Again, know that this is Washington's language. We are really only talking about half that in real expected outlays. We have budgeted amounts and then we have outlays. We do things very differently than do most people back home. This is not nearly the amount of reduction people are talking about as far as real money flowing out.

I strongly support the Toomey proposal, the Inhofe proposal. I hope others will join in and at least move to debate this issue. I have a sense that is not going to be the case today. Maybe next week when some things happen, some others will be open to doing this.

I can't imagine why anybody in this body, if they think draconian things are happening in a specific area and some judgment could be used to really alleviate that, I can't imagine why anybody in this body would not want to give administrators of these various agencies the ability to have some degree of transfer authority to make it work better. I don't imagine there is a business in our country, whether it is a one-man shop or a large corporation, that wouldn't want that flexibility. I can't imagine a Democrat or a Republican really thinking it is a bad idea to give the administration the ability to be more graceful in dealing with this.

Today it looks as though we might have a partisan vote. It is a shame.

Again, this is ham-handed. We can make it work better. Hopefully, on March 27, if we continue on this course until that time—obviously, to me, the only thing worse than this ham-handed approach is not enacting the $1.2 trillion in cuts. This needs to happen, in my opinion.

Maybe on March 27 when the appropriators come forth with a continuing resolution, they will have shifted this around to a degree that we end up with the same amount of spending reductions. This is the way regular order should work here, the way the Senate should work, the way the House should work. It is not that far down the road.

As a matter of fact, I am understanding that if the Appropriations Committee wanted to, they could pass out an omnibus—not a CR but an omnibus—that has already gone through the checks. I think the two staffs have been working; I am talking about at the House and the Senate. It is my understanding that they could pass something out in a week. I think maybe there are going to be some discussions about this later in the majority leader's office. Hopefully, he will give the green light to the chairman of the Appropriations Committee to move ahead with something like this, which would be very sensible, in my opinion. I think most people around here would love to see something actually happen under regular order.

These reductions are necessary, in my opinion, to get our fiscal house in order. Much more needs to be done beyond this $1.2 trillion—much, much more. I don't think there is anybody who doesn't believe that deficit reduction greater than $1.2 trillion needs to occur. Right now we are focused on the cuts side. We focused on the income side at the end of the year.

As we move ahead and are able to deal with these issues under regular order, where committees have looked at the impact, this is the best way to go forward.

Again, sequester will kick in tomorrow. I think we all understand that. There is a better approach. There is a bill that would allow the executive branch to have the flexibility it needs to work through this in a way that is least harmful to the American people, and if that doesn't work, another step with a continuing resolution in 3 or 4 weeks—there is another way of hitting this in an intelligent way.

I hope we have the opportunity to work this out in a way that is better for the American people. At the same time, I hope we will not back away at all from at least $1.2 trillion in spending reductions. I wish we would move later this year into real tax reform, which is really where all the money is.

To the American people, the reason we are moving to sequester and the reason we are cutting discretionary spending is we don't have the courage in the Senate to deal with entitlements. When the word ''entitlement'' comes up, everybody runs for the hills. They know where the money is—62 percent of our spending, which in 10 years, combined with interest, will be 90 percent of our spending.

The reason we are here today is this body has not come to terms with the fact that we need to reform entitlements for them to be here for future generations and certainly people who are getting ready to retire.

This situation is a shame, and so we are going through this pain again due to a lack of courage in the Senate to address the real issues of the day. That is a shame, and what you are going to see playing out is solely because of that.

I have a bill which would deal with that. LAMAR ALEXANDER, my colleague from Tennessee, is a cosponsor. It was based on Bowles-Simpson, Domenici-Rivlin—bipartisan concepts.

For some reason, when it comes to dealing with the real issues of America, this body runs for the hills. Hopefully, soon we will be brought back together and we will deal with this in a mature way, deal with the real issues our Nation is dealing with, solve them, put it in the rearview mirror, and all of us will come together and focus on those things that would make our country stronger.

I ask unanimous consent that all quorum calls before the votes at 2:30 p.m. today be equally divided.

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

Mr. CORKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, we have heard a lot of discussions recently about the author Bob Woodward and his comments about spending and the sequester. It is important for us to understand this. This is not an easy matter. We have a lot of confusion, I think, as to what has been happening in the Senate. So from my perspective, as ranking member on the Budget Committee, I wish for all of us to understand the issue that is at stake.

Here is what Bob Woodward said in his Washington Post Op-Ed earlier this week:

> So when the President asked that a substitute for the sequester include not just spending cuts but also new revenue, he's moving the goalpost.

And when the President talks of spending cuts, he's referring to some other spending cuts somewhere in the government so that they do not fall so hard on defense, for example.

But Bob Woodward goes on to say—referring to the President's request for a substitute—that was not the deal he made.

So we need to all remember what happened was that in August of 2011, after the American people were aroused and spoke strongly in the 2010 election, the debt ceiling was reached. We couldn't borrow any more money. Since we are borrowing almost 40 cents out of every dollar, it amounted to a 40-percent cut in spending, had we not raised the debt ceiling. So it was important to raise the debt ceiling, but it was also important to do something about the surging debt. So a bipartisan agreement was reached, and the agreement essentially said we will reduce spending $2.1 trillion, and we will raise the debt ceiling $2.1 trillion.

The good news, for those who wanted to keep spending, was that we spread

the spending cuts over 10 years. But we have already reached the debt ceiling again. We have already spent $2 trillion more than we took in. We have to deal with that again very soon.

I would like to say this to my colleagues: That agreement called for no tax increases; it called for a modest reduction in the growth of spending. Instead of going up $10 trillion, it would go up $8 trillion. Instead of adding $9 trillion to the debt of the United States, we would add $7 trillion to the debt of America by simply constraining the rate of growth in spending. It was not cutting spending. Except the way the sequester part of that agreement was reached, the cuts fell disproportionately on defense and maybe a few other programs. And over 10 years, defense would take a real cut. This isn't war costs. This is a fundamental problem.

What I would say to my colleagues is this: Please don't come in and say, there are loopholes we can close or we can tax the rich more here and we can do this, that, and the other in order to bring in more revenue and to spend more. You see? But we agreed to a new baseline in spending. It passed the House and the Senate and the President signed it into law. He agreed to it. And he was the one who insisted on the sequester, even though he has denied it since. He got that, he and his budget director, Mr. Lew, whom he just promoted to Secretary of the Treasury. So he agreed to that. And closing loopholes is simply a tax increase, of course.

So if we agree at some point to close loopholes, it ought to be part of tax reform and it ought to be part of reducing the deficit, not funding new spending. Because, you see, we have agreed to this new baseline. When the President says don't do the sequester, the sequester amounts to $1.1 trillion out of the $2.1 trillion in reduced spending. So he is talking about increasing spending over the amount he just agreed to 19 months ago. He is talking about increasing spending at a time this Nation has never faced a more serious systemic financial debt crisis. And his excuse is that we will close loopholes.

But you see, reducing the amount of new debt we incur over 10 years from $9 trillion in to $7 trillion is not enough. The budget commission, experts, everybody knows—ask anyone in this Senate, liberals and conservatives, and I don't think a single one would say that increasing the debt by $7 trillion over 10 years is good. Our current debt is $16 trillion. This is not a healthy trend.

We know we can't give away the cuts we just agreed to. What would we tell the American people? We already told them: We know you are unhappy that we are raising the debt ceiling, we know you are mad at us for putting the country in this situation, but we are going to cut spending, trust us. Trust us. And then here we waltz in, less than 2 years later, with the President saying that we cannot cut as much as we promised, as agreed to and signed into law. He says that is too much. He tells us that he is not going to help us find a smarter, more effective way to do the cuts.

I don't think that is good policy. What I urge my colleagues to do, and I believe it is the right thing, is to make the decision—and we have no choice but to make it—that we are not going to give up the little bit of spending cuts we achieved in 2011, which are not spending cuts but a small reduction in growth in spending. We should advise the President that we stand ready—and I am confident I can speak for the Republicans in this Chamber that we stand ready—to try and spread those cuts out in a way that is smarter and is less painful, because everybody should tighten their belt to help get this country on a sound path. We are willing to do that, but we should state we are not willing to allow the President to breach his agreement—as Mr. Woodward said, the deal he made—that he signed, that is in law and that has created a new spending baseline. We should not give up on that 19 months after we agreed to it. What a mockery that makes of the integrity of our government and the commitment to fiscal responsibility.

Let's work together on this. We had a big tax increase in January and a spending agreement in August of 2011. So now let's get on with it and operate in the world we are in. I don't believe we will avoid the sequester by raising taxes and increasing spending over the level to which we agreed. It won't happen. So we might as well get serious and figure out a way to help make this work in a more rational way.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, today, as we debate proposals for avoiding the so-called sequester, we find ourselves in a uniquely awkward position. Not only is there general disagreement about what brought us here, who is responsible, who is to blame, et cetera, but we also disagree about where ''here'' is to begin with.

President Obama has been touring the country giving speeches describing just how bad the sequester will be and why Republicans are to blame for it. This is, of course, par for the course for this President, whose motto seems to be: Why solve a problem when you can campaign on it? You would think, after having won the election, the President would be the first to acknowledge the election is over. But nearly 4 months after election day, the President's campaign road show continues.

The problem with the President's sequestration campaign is that, once again, his claims are at odds with the facts. Everyone in Washington knows that, despite the President's efforts to put the blame on Republicans, the sequester was his idea to begin with. The record is clear and it is not in dispute. The idea for the sequester was pitched by the President's then-OMB Director Jack Lew as a negotiating tactic to get Republicans to vote in favor of raising the debt ceiling. Not only did the idea originate in the White House, the President threatened to veto House-passed legislation designed to replace the sequester.

Moreover, in these final weeks leading up to the March 1 deadline, the President spent more time on his national sequestration campaign than he has in sitting down with Republicans to reach an agreement on a replacement package. So if the sequester goes into effect—and at this point it appears it will—the American people should not blame Republicans in Congress, who have been working in earnest to replace it. No, the blame should fall squarely on President Obama, who proposed the idea in the first place and has refused to work on a passable solution.

So that is how we got here. The bigger, more complicated problem is determining where ''here'' actually is. The President and his allies have spent a lot of time misleading the American people on that as well.

If you describe the sequester using the worst possible numbers, it is an $85 billion reduction from $3.5 trillion of yearly Federal outlays—yes, that is $85 billion out of $3.500 trillion. When all is said and done, it is a reduction of less than 2.5 percent from overall Federal spending. And, as the Congressional Budget Office has made clear, not all of the $85 billion in reduction will even take the form of reduced spending this year. Even if it did, keep in mind that $85 billion would represent less than 9 days of Federal spending, based on the rate of spending last year. Once again, that is if you describe it in the worst possible terms.

For a moment, let's go with those numbers.

The President would have the American people believe that a 2.4-percent reduction in Federal spending out of $3.6 trillion will cripple our government and irreparably damage our economy, even an economy that the President must have felt was strong enough to absorb a $600 billion tax hike back on New Year's Day. The ramifications of the 2.4-percent spending reduction are so great, according to the President and his allies here in Congress, that the only alternative is to raise taxes yet again.

I will be the first to admit there are better, more responsible ways to reduce the deficit than the President's indiscriminate sequester. But these scare tactics don't even pass the laugh test. Does the President really expect the American people to believe our government is so fragile it cannot absorb a 2.4-percent spending cut—less than 9 days' worth of Federal spending—without inflicting massive damage on the American people and our economy? Apparently so.

Once again, I am describing the sequester in the worst possible terms just to demonstrate the outlandish nature of the President's arguments. However, when you look at whether the sequester even represents a reduction in spending, you find the claims are even more absurd. In fact, when you look at whether we are cutting spending at all relative to past periods, you can easily see we are not, even with the sequester.

The so-called spending cuts in the sequester are measured against 2010 spending levels. We should all remember that in fiscal year 2010, spending levels were highly elevated as a result of the President's stimulus and other ''temporary'' spending measures passed in response to the financial crisis and recession. So, in other words, the sequester reduces spending only if you are measuring against an extremely high baseline that was, at that time, supposed to be temporary.

Whether something is an increase or decrease depends on what you are measuring against. If you measure relative to a big number—such as the Democrat-fueled spending of 2010—then proposed spending looks like a cut. But if you look at spending levels relative to more reasonable spending baselines, you will find that future spending will actually be up even with the sequester in place. For example, you will see what post-sequestration spending looks like relative to a more reasonable baseline.

According to the Congressional Budget Office, baseline estimates for post-sequester discretionary budget authority total $978 billion for fiscal year 2013. The average during the Bush years, in inflation-adjusted fiscal year 2013 dollars, was $957 billion. Neither of these figures includes spending on wars or emergencies, so this is an apples-to-apples comparison.

In adjusted current dollar terms, post-sequester spending this year will be more than $20 billion higher than the average during the Bush years. Someone may have to refresh my memory, but I don't believe the government ceased to function during the Bush years. I certainly don't remember hearing anyone express concern about the elimination of basic governmental services. In fact, I don't think anyone remembers the Bush years as being a time of spending restraint here in Washington. Indeed, we have all heard President Obama claim it was the extravagant spending of the Bush administration that, in part, caused our current budget woes. Yet now the President is telling the American people that a return to those spending levels will devastate our country, leaving children hungry and our border unprotected.

Not surprisingly, the President and the Democratic leadership's solution to this problem is more tax hikes, which makes these claims about the impact of sequestration all the more transparent. Indeed, it appears that the President's current campaign on the sequester is less about reaching an agreement to replace the sequester than it is about satisfying his drive to once again raise Americans' taxes while also serving his desire to vilify Republicans, no matter what the costs to the American people.

I don't want to minimize the negative impact the sequester may have in some areas. I think there are very few of us who would not like to see the President's indiscriminate sequester replaced with more responsible spending reduction alternatives. There are alternatives to the approach we are debating today. But whatever we do, we should do it through regular order.

Today we are yet again debating a bill that has bypassed the relevant committees of jurisdiction. Regular order has become the exception rather than the rule around here, which is extremely frustrating I think to both sides. There are consequences to skipping the established committee process. If legislation does not go through the relevant committee, it is not studied and vetted. It simply shows up out of the majority leader's office before anyone has a chance to even look it over. Bypassing regular order is simply shortsighted. Yes, short-circuiting the committee process prevents Members from having to take tough votes in committee. But taking tough votes to enact legislation is part of being in the Senate—or at least it used to be. These days, no one in the majority has to take a difficult vote. The majority leader has made sure of that.

I have a chart that has the title ''Honest Leadership and Open Government.'' You can see the large letters at the top and the small letters right against the podium Senator REID is at. My friends on the other side of the aisle won the Senate majority in the 2006 elections by campaigning on this theme. Unfortunately, in the 6 years since they have been running things here in the Senate, things have gone exactly the other way. Backroom deals are the rule, regular order is the exception, open government is the casualty, and committees are ignored with aplomb.

I have and will continue to urge my colleagues to support the restoration of regular order here in the Senate because, in the end, it yields better legislative results, and it is a much more fair way to legislate and involves everybody, not just a few people in one office.

Despite the fact that the President and congressional Democrats just got over $600 billion in tax increases out of the fiscal cliff deal, the Democratic leadership's bill that we are debating today contains even more tax increases.

The Congressional Budget Office wrote earlier this month that over the next 10 years, revenues as a percent of GDP will average 18.9 percent. Over the last 40 years, according to CBO, revenues have averaged 17.9 percent of GDP. So over the next 10 years, Federal revenues are set to exceed the historical average.

At the same time, government spending, which is projected by CBO to reach about 23 percent of GDP in 2023—an historical average—will be on an upward trajectory and will remain far in excess of the 40-year average of 21 percent. So the problem is not that the American people are undertaxed, it is that Washington is overspending.

Given this basic point, I have filed a motion to commit the Democratic leadership's bill to the Finance Committee to strike all the revenue increases and replace them with spending cuts. And to help further the process, I have prepared a menu of spending cut options to select from. These proposals come from Dr. TOM COBURN's book, ''Back in Black: A Deficit Reduction Plan.''

During the 2008 campaign, the President promised to find spending cuts by going through the budget, line by line. Dr. COBURN has done what the President promised but failed to do. Today, I am drawing from a small body of Dr. COBURN's hard work.

For instance, instead of the latest incarnation of the Buffett tax, we could, according to ''Back in Black,'' save $71 billion over 10 years by instituting a 5-year freeze on locality pay adjustments for Federal workers or we could reduce travel budgets of Federal agencies. That would save just over $43 billion over 10 years.

Another revenue increase in the majority leader's bill that could be replaced with a spending cut is the elimination of what some Democrats have described as a tax break for shipping jobs overseas. Indeed, we have seen this proposal pop up several times over the last few years.

However, as some may recall, the Chief of Staff of the Joint Committee on Taxation wrote a letter to Senator STABENOW and Representative PASCRELL, the authors of a bill to close this so-called loophole, that stated,

> Under present law, there are no specific tax credits or disallowances of deductions solely for locating jobs in the United States or overseas.

I previously challenged my colleagues to come and point out to me if they thought that was incorrect. To date, no one has tried to meet that challenge. Yet efforts continue to raise a tax under the guise of closing a loophole where no loophole exists.

One spending cut from Dr. COBURN's book that could be used as a substitute for closing the Democrats' phantom loophole is to reduce the Federal limousine fleet back to the level it was in 2008. According to Dr. COBURN's book, the government owned 238 limousines in 2008. By 2010, that number had grown to 412. What changed in government between 2008 and 2010 that required an increase of over 73 percent in the number of limousines needed to shuttle bureaucrats? If anyone knows, please let the American people know. Going back to the 2008 level of Federal limousines

would save the government $115.5 million over 10 years.

There are numerous other places where we can cut spending immediately. Instead of pursuing the Democrats' tax hike strategy or the President's indiscriminate sequester, we should instead sensibly restrain spending through proposals such as these.

I anticipate that some of my friends on the other side will argue we should pursue these spending cuts in addition to passing more tax hikes. My response is that we should be saving all of these revenue raisers for future tax reform efforts.

There is a growing bipartisan consensus here in Congress in favor of comprehensive tax reform. The leaders in both the tax-writing committees are committed to this effort, and I believe we have a real opportunity to accomplish something on tax reform this year. However, if we start closing loopholes and eliminating preferences now in order to raise revenue to avoid the sequester, they won't be there to help us lower marginal tax rates later on when we are working on tax reform, which will make an already difficult process that much harder.

Ultimately, if we follow the path my Democratic colleagues want us to take, we will be raising taxes on the American people while at the same time hampering future tax reform efforts. This is simply not the way to go, particularly when there are perfectly reasonable spending cuts available to replace the President's sequester.

As I said, whatever we do, we ought to do it through regular order. That is why I have filed this motion to commit and why I hope my colleagues will support it.

While I am waiting for someone to represent the majority, because I am going to have a unanimous consent request that I understand will be objected to and I want to protect the majority's right to do that, as much as I don't agree with it. I know there is an agreement in place for consideration of the sequestration bill and I don't want to stand in the way. But at some point we need to have a real bipartisan conversation about a return to regular order. For too long we have been avoiding the committee process here in the Senate and I think the results speak for themselves.

I want to work with my colleagues on both sides of the aisle to find a way to restore the deliberative traditions of the Senate by allowing the committees to do its work. If we can return to regular order, the words ''honest leadership and open government'' will be more than a campaign slogan. The American people should expect nothing else.

I understand my unanimous consent will be objected to, and so I ask unanimous consent that I be immediately recognized to make this unanimous consent as soon as the distinguished chairman of the Finance Committee arrives.

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

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

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

Mr. INHOFE. Madam President, I thank my friend from Utah for his comments. I think it is important, since we have two votes coming up starting in less than 30 minutes, that we talk a little bit about the background, where we are today and what we are going to be faced with in these votes and what the options are.

Back about 5 weeks ago, when it looked as though sequestration was going to kick in, there was concern. I understand there is a lot of concern on the domestic side and on the defense side, but my concern is mainly on the defense side. I am the ranking member of the Senate Armed Services Committee. I am concerned about what has been happening under this administration in the last 4 years, the disarming of America and the devastation that has taken place already. A lot of people do not realize, under this administration we are now projecting cuts already to hit $487 billion in defense.

If sequestration should come in, it would raise that to $1 trillion, and $1 trillion over that period of time is, in fact, devastating. The Secretary of Defense, Leon Panetta, came out immediately and said: This cannot happen; we cannot adequately defend America if we allow this to take place. He was talking about sequestration.

Sequestration, I think people kind of lose sight of what it is. It is the equal cutting all the way across all of these accounts in order to come up with a savings, which I think is kind of interesting. Here we are talking about all this anguish we are going through right now just for $1.2 trillion, when you stop and realize in the President's own budget, over 4 years he has a $5.3 trillion increase. So we are talking about 10 years to come up with $1.2 trillion when he was accountable for $5.3 trillion in 4 years. That is not even believable. When I say it back in my State of Oklahoma they shake their heads and think there must be some miscommunication, it cannot be right.

The problem has been, in this administration, over the past 4 years all the cuts have come from the military. They have not come from anywhere else. It is an oversimplification, but you can make the statement that they are cutting—I will yield to my friend from Utah because I understand he has a unanimous consent request. I will be happy to do that, but I ask unanimous consent the floor be returned to me.

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

Mr. HATCH. I thank my colleague for his courtesy. I appreciate it.

Madam President, I ask unanimous consent that following the two cloture votes today, it be in order for me to make a motion to commit S. 388 to the Finance Committee, the text of which is at the desk, and the Senate proceed immediately to vote on the motion without intervening action or debate.

The PRESIDING OFFICER. Is there objection? The Senator from Montana.

Mr. BAUCUS. Madam President, this Senator was probably not paying enough attention. This is the Senator's motion to recommit?

Mr. HATCH. It is the motion to recommit.

Mr. BAUCUS. Madam President, I respect my Ranking Member's attempt to alter the leader's bill to strike the revenue increases in this legislation.

However, I think time is at a premium and we need to consider the Reid legislation today.

Recommitting the bill to the Finance Committee will delay a solution to the sequestration cuts for weeks, if not months, and I believe most Members believe we should address the issue here and now. There is no time to waste.

We will have a full opportunity to discuss additional deficit reduction ideas in the coming weeks when we consider the budget resolution, the continuing resolution and the extension of the debt limit.

I agree we need to cut our debt and get our fiscal house in order. We know there are places to trim the fat in Federal programs.

To give families and businesses certainty, we must agree on a balanced, comprehensive plan to cut the debt that includes both revenue and spending cuts. The math will not work any other way.

A long-term balanced plan will bridge the budget battles and make real progress solving our deficit problem.

A balanced plan will also encourage businesses to invest, enable investors to return to the markets with confidence, and, most importantly, put Americans back to work in a growing economy.

And I look forward to working with Senator HATCH, taking on these fiscal challenges and crafting policies that create more jobs and spark economic growth.

The only way we will be able to get past these budget battles is by working together—Republicans and Democrats, House and Senate. We need to work together.

However, at this time I object to the motion to recommit.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Look, this place is not being run on regular order. The committees are being ignored. The committees are established to be able to intentionally look at these matters

and hear both sides and hear the top experts in the country. I feel very badly that this simple motion has to be objected to. I feel badly because I know neither of the amendments that will be filed, that will be heard or voted on, are going to pass. One reason they will not is because we have not followed the regular order.

Mr. INHOFE. Will the Senator yield?

Mr. HATCH. I am happy to yield.

Mr. INHOFE. I asked unanimous consent I be recognized after the two of you went through this. Can I inquire as to about how much longer it will be? I am the author of the bill that is coming up in just a few minutes.

Mr. BAUCUS. Will the Chair indicate the time remaining?

The PRESIDING OFFICER. There is 22 minutes.

Mr. BAUCUS. Madam President, I ask which side has the 22 minutes?

The PRESIDING OFFICER. The majority.

Mr. BAUCUS. I will be glad to yield time to my friend from Oklahoma.

Mr. INHOFE. I appreciate that. It is my understanding, responding to my friend, that the other author of this bill, Senator TOOMEY, wants to be heard for 2 minutes prior to the vote. I would like to be heard for a few minutes of time.

Mr. BAUCUS. At this time?

Mr. INHOFE. Right after his time, yes.

Mr. BAUCUS. I don't fully understand. I am happy to yield 10 minutes to the Senator from Oklahoma.

Mr. INHOFE. I appreciate that.

Prior to the time we propounded the unanimous consent request, I was talking about my frustration about what has been happening fiscally in this Senate during the last 4 years and the mere fact that under this administration we have increased deficits by $5.3 trillion. Now we are trying to come up with something far less than that in a period of 10 years. To me, people look at that and say: What is this all about? But that is not the reason I bring this up.

I bring this up because the amount of money that has come out of the military is actually a reduction. If you look at the increase in the spending in the last 4 years, it has all come out of defense accounts, so it is defense that has taken the hits on this. Government has expanded approximately 30 percent across the board. At the same time our military has been reduced in terms of our budget for defense accounts.

Anyway, when this came up a few weeks ago, I thought it was not going to happen. I thought we were going to have something come up and change this whole idea of having to make these reductions. So what I did at that time was draft a bill. The bill merely said if we are stuck with sequestration, let's allow the chiefs—speaking of the military—to reevaluate everything that is included so they can look and see where we can take cuts and it will not be as devastating.

In fact, I called each one of the five service chiefs and I said: Would it be less devastating if you were able to take the same amount of money out but take it out selectively, out of accounts where it would be not as significant?

They said: Yes, it would.

I said: Would you be able to prepare for this in the next 4 years?

The answer is yes. That is where we are today. They said they are able to do that.

The frustrating fact is this President—I am getting criticized on both sides. People are saying you are giving too much to the President. We are not because we have safeguards in here, which I will explain in a minute. But at the same time, the President comes out and says he will issue a veto threat against this bill. What does this do? It gives flexibility for the President.

I am going to read something. This is a statement that President Obama said on February 19, 2013. He said:

> Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether we are cutting some bloated program that has outlived its usefulness, or a vital service that Americans depend on every single day. It doesn't make those distinctions.

He goes on to say that he wants that flexibility. This is the President asking for it on February 19, 2013. Here we come along with a bill that gives him that flexibility with certain restrictions so that he can't pick and choose areas that we find are against the policy that has been set. I will give an example.

We had the National Defense Authorization Act. It was one that took months and months to put together. It took a long time to put together, and we made evaluations, with a limited budget, on what we could do. All this does is say if we have to make some changes from the across-the-board cut, let's make them consistent with the National Defense Authorization Act.

In other words, all those weeks and months of work by the Senate Armed Services Committee and, I might say, the House Armed Services Committee would not be in vain. Those cuts would be consistent with the intent, to make sure the President would do this.

A lot of people say we can't trust the President; he is going to put more cuts in places where it would not be in keeping with what the Senate Armed Services Committee wants. But we have a provision called a congressional disapproval mechanism. That means if the President doesn't do what the intent of this legislation is, then we can go ahead and disapprove it.

We have those two safeguards. One is they have to follow the criteria that is consistent with the Senate Armed Services Committee, the national defense authorization bill, which is the House and the Senate. To be sure we will be able to do that it has the disapproval mechanism.

People do not realize the costs of this. If you take the same amount of money that we are talking about in sequestration and allow the service chiefs to massage this and make changes, give them flexibility to go after programs that are not as significant as some that might otherwise be cut—the bill allows the President to listen to the advice of his military leadership and offset some of the devastating impacts of sequestration. If the sequester is allowed to take place and the congressional resolution is not fixed, the Department of Defense stands to waste billions of dollars through the cancellation of contracts.

People don't think about this. We make commitments backed by the United Sates of America that we are going to do certain things. A lot of these are contracts such that if they are terminated it could cost quite a bit of money.

The termination of multiyear contracts is something that we would be concerned about. Providing the Department of Defense flexibility to determine how these cuts will be implemented will let us take this into consideration.

At this point, I ask the Senator from Pennsylvania how much time he would like for his concluding remarks.

Mr. TOOMEY. Madam President, I thank the Senator from Oklahoma. I will only ask for a minute or two to make my closing comments.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. INHOFE. Madam President, I appreciate that very much. He has been a great partner. I have given a background of what went on 5 weeks ago and our discussions with the service chiefs. I was hoping this day would not come and that we would not be faced with the continued devastation of our military, but the time is here. Tomorrow is the 1st of the month.

The Senator from Pennsylvania and I have come up with a bill that will be voted on, and it will minimize the damage and still preserve the cuts that are mandated and are out there.

One of the problems we have not talked about is the continuing resolution. When I was talking to the different service chiefs, one was General Odierno, who is in the Army. He said that just as devastating as how the CR is set up, this corrects that problem at the same time. We have something that is not going to cost any more money. Believe me, a lot of my closest friends—for instance, in the House of Representatives—think it is a good thing that we are making these mandatory cuts. They cannot argue with that, but we can at least minimize the damage in these cuts.

I will read something that shocked me when I saw the President had issued—I am not sure if it is a veto message. I am told it was a veto message.

Here we have a bill that gives him flexibility with the restrictions we

talked about. Yet he says he is now going to veto it. It is worth reading this again, and we need to make sure we get this in the RECORD.

This is his quote on February 19, 2013. This is the President speaking.

Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether we're cutting some bloated program that has outlived its usefulness, or a vital service that Americans depend on every single day. It doesn't make those distinctions.

We are now giving him a vehicle that makes those distinctions so we have that flexibility. It has the safeguards to take care of the problems that have been brought up. I think it is not a good solution, but right now it is the only solution.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I would like to thank and compliment the Senator from Oklahoma, who has been a terrific leader and ally. I appreciate his hard work and the work product we have come up with.

At the end of the day, it is not complicated. It is pretty simple. Do we go ahead with indiscriminate across-the-board cuts that give us no ability whatsoever to establish priorities, to recognize that some spending is more important than others, or do we adopt this flexibility approach and give to the President of the United States the flexibility for him to turn to his service chiefs and say to them: Folks, is there a better way to do this? I am sure they know best what their needs are. I am sure they can come up with a better set of spending cuts than these across-the-board cuts that are in law.

Similarly, on the nondefense side, any competent middle manager of any business in America knows that when they have to tighten their belt, they go through and prioritize. So when the President and the Secretary of Transportation go around the country saying: Oh, we are going to have to lay off air traffic controllers; we are going to have to shut down towers; we are going to have delays, none of it is necessary. It is not necessary if we pass this legislation because it would give the President the flexibility to cut the items that would not be disruptive to our economy, and it would not be disruptive in any meaningful way.

I gave the example earlier of the FAA. The FAA would have more money postsequester than what the President even asked for. Obviously, what the President needs is the discretion to be able to make some cuts where they can be best be borne.

After having a total budget that has grown 100 percent over the last 12 years, we can find the 2.3 percent that is needed now. These are flexibility measures we would give the President for the remainder of this fiscal year. Thereafter, the savings we will achieve will happen through the spending caps and, therefore, will be decided by the Appropriations Committee.

I urge my colleagues to support the Republican alternative.

I yield the floor.

Mr. LEAHY. Madam President, earlier this week, I shared with the Senate the consequences of sequestration for the budget of the Department of State and foreign operations and its impact on the security of the United States. Funding for the entire Department of State and foreign operations budget amounts to only about 1 percent of the Federal budget, not the 15 or 20 percent some mistakenly believe.

That 1 percent includes funding to operate our embassies and consulates in over 290 countries, to carry out diplomacy in dangerous environments like Syria, Afghanistan, and Pakistan, respond to humanitarian crises, and build alliances with security and trading partners. Sequestration would harm these efforts by cutting assistance for diplomatic security at a time when everyone agrees we need to do more to protect our Foreign Service officers overseas.

On the development side, sequestration will mean cuts to global health programs that prevent the spread of AIDS and pay for vaccines for children, protect maternal health, and combat malaria and tuberculosis. It will also mean reductions for funding for disaster and refugee aid at a time when an increasing number of victims of drought, famine, and extremist violence around the world need assistance.

As has been pointed out repeatedly, sequestration was included in the Budget Control Act as an incentive to negotiate. The idea was that it would have such catastrophic consequences that rational minds would replace it with a thoughtful and balanced approach to deficit reduction.

That has not happened. To the contrary, just 1 day before the sequester is to take effect, our friends on the other side of the aisle, who favor cutting government programs and particularly those that help the neediest, seem to have decided that they would rather see sequestration take effect rather than close tax loopholes that only benefit the wealthy and pad growing corporate profits.

However, as President Obama and others have been warning for weeks, allowing these Draconian cuts to go into effect tomorrow will have a tremendously negative impact on jobs all across the country and on essential services provided by our government.

The American people elected us to come to Washington to work together and make tough decisions. It is well past time for a certain amount of reasonableness to come back to Congress. I have always believed that a balanced approach of pairing decreased spending with increased revenues is a far better way to deal with our budget deficits than sequestration. That is what we did with President Clinton in the 1990s, and we saw record budget surpluses.

We simply cannot cut our way out of this deficit. We created this situation partly by putting two wars on the Nation's credit card. We already have reduced the debt by $2.5 trillion, with the vast majority of those savings coming from spending cuts. Just as most private businesses adjust their prices prudently over time, we cannot finish the job of deficit reduction through spending cuts alone.

We must understand that even in these difficult budgetary times we cannot sacrifice the future of critical Federal programs in education, in health care, and in national security that affect hard-working families across the country, every single day. The American people want and expect us to take a balanced approach. They know it isn't wise to protect endless corporate loopholes and tax breaks for the wealthiest Americans instead of investing in our schools, our factories, our roads, and our workers. Yes, they want us to get our books in order—but in a balanced way where everyone pulls equally.

Today the Senate has the opportunity to avoid this devastating sequester by voting for the American Family Economic Protection Act, which does just that. This balanced legislation will delay sequestration by replacing it with a combination of new revenues and targeted spending cuts. These spending cuts would reduce the deficit in a responsible way, eliminating unnecessary direct payments and farm subsidies and implementing reasonable and responsible defense spending reductions beginning when the war in Afghanistan is expected to end. This legislation would also generate revenue, equal to the amount of spending cuts included, by eliminating oil industry tax loopholes, denying deductions to companies that ship jobs overseas, and ensuring that millionaires do not pay a smaller share of their incomes in taxes than the typical middle-class family.

The American Family Economic Protection Act provides us with a clear, balanced proposal that would avoid the devastation of sequestration. I look forward to the opportunity to support this responsible approach to deficit reduction and hope all Senators will join me in doing the same.

If we choose to not act responsibly and do not pass this legislation today, I am afraid sequestration will go forward and would mean devastating cuts around the country and for Vermont. Without action, sequestration would mean that Vermont schools would lose more than $2.5 million for primary and secondary education and the education of children with disabilities, while putting the jobs of teachers and aides at risk. Vermont would stand to lose more than $1 million in environmental funding to ensure clean water and air quality, as well as prevent pollution from pesticides and hazardous waste.

Vermont would lose roughly $2.6 million in funding for medical research

and innovation funding from NIH and $400,000 in funding from the National Science Foundation, costing the State 53 jobs. Vermont would lose funding for the grants that support law enforcement, prosecution and courts, crime prevention and education, corrections, drug treatment and enforcement, and crime victim and witness initiatives. Sequestration would mean Vermont would lose $101,000 in funding for job search assistance, referral, and placement, meaning 3,700 fewer people will get the help and skills they need to find employment, just when they need it most.

In Vermont, sequestration would impact public health. Fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B due to reduced funding for vaccinations. Across-the-board cuts mean Vermont will lose about $270,000 in grants to help prevent and treat substance abuse, resulting in around 500 fewer admissions to substance abuse programs. And the Vermont Department of Health will lose about $55,000 resulting in around 1,400 fewer HIV tests. Sequestration would mean the state would lose funding used to provide meals for seniors and services to victims of domestic violence.

If we do not pass the American Family Economic Protection Act today, our States will lose funding for community development block grants and housing vouchers helping to put a roof over families' heads, we will lose funding for cancer screenings, childcare, and Head Start programs helping to get our Nation's children ready for school.

We cannot afford to allow this self-inflicted devastation move to forward. The bottom line is that getting our fiscal house in order must go hand in hand with policies that promote economic growth, create jobs, and strengthen the middle class—all things that President Obama and Democrats in both Houses of Congress are eager to do if only we had more cooperation from our friends across the aisle. We simply cannot cut our way out of this. We cannot allow an unbalanced approach that would once again require that deficit reduction be achieved solely through spending cuts, and would disproportionately impact low-income Americans and middle-class families. And we should not allow politics and posturing to dictate our actions here today. The American people expect more from us. I hope the Senate will end the filibuster of this legislation and allow an up-or-down vote so that we can show our constituents that we are capable of putting the interests of the Nation first.

Mr. LAUTENBERG. Mr. President, the sequestration spending cuts that are scheduled to begin tomorrow would cause pain and hardship across our country. These cuts will be devastating to workers, small businesses, middle class families, and children.

The list of essential programs and services that will be affected by sequestration is long. So today, I would like to focus on just a few of the more than 50 agencies funded by the Financial Services and General Government Appropriations Subcommittee, which I chair.

My subcommittee helps small businesses get the loans they need. It keeps Wall Street watchdogs on the job. And it funds the agencies that stand up for consumers and stand guard against unfair and deceptive business practices. But the largest single appropriation in my subcommittee goes to our Nation's tax collector—the IRS.

At about $12 billion, the IRS budget is a major expense. But cutting the IRS budget is short-sighted instead of reducing our deficit, shrinking the IRS makes our deficit larger.

That's because short-changing the IRS makes it easier for tax cheats to avoid paying what they owe.

Last year alone, about $400 billion in taxes owed were never paid.

Mr. President, I was a CEO for many years. If there is one thing I learned in my time at ADP, it is that you can't run a company without revenues. And you surely can't run a country without revenues. The sequestration plan Republicans insisted on will slash the IRS and sacrifice revenues. In fact, for every dollar the sequester cuts from the IRS, our deficit will increase by at least $4.

These cuts make no sense. But these IRS budget cuts are just the beginning of our problems. Under sequestration, as many as 1,900 small businesses won't get loans, which would mean 22,000 fewer jobs at a time when millions are looking for work. Wall Street watchdogs like the SEC and CFTC will be forced to go home, leaving investors on Main Street vulnerable to wolves on Wall Street. And cuts to the Judiciary could jeopardize one of the most important aspects of our life: the safety of our families. That is because we will have fewer probation officers to supervise criminal offenders in our communities. Courtrooms will be less safe because of cuts to their security systems. And cuts to mental health and drug treatment programs could lead to more offenders relapsing into lives of crime.

The Federal Bar Association agrees. They wrote in a letter last week to Chairman MIKULSKI and me that, Funding reductions could jeopardize the supervision of thousands of persons under pretrial release and convicted felons released from federal prisons, compromising public safety in communities across the Nation.

Mr. President, I voted against the legislation that put us on the path to sequestration because I was concerned about the effects of reckless cuts on everyday Americans. Just look at what sequestration will do to Head Start a program that helps our most vulnerable children learn how to learn: 70,000 kids could be kicked out of Head Start, including 1,300 in New Jersey.

We had a chance today to vote on a bill to replace these cuts with a balanced approach to deficit reduction, but our Republican colleagues insisted on protecting loopholes for the wealthy and big corporations. I hope that they will reconsider their position in the coming weeks, and work with us to undo these damaging cuts.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I ask for an opportunity to respond to the Senator from Pennsylvania and then yield to the Senator from Iowa.

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

Mr. DURBIN. Madam President, we just met with Secretary of Transportation Ray LaHood, a former Congressman from Illinois. He said the opposite of what the Senator from Pennsylvania said. The Secretary of Transportation said exactly the opposite of what the Senator just said.

The sequestration is going to force him to reduce the payroll in his department. The largest payroll source is the Federal Aviation Administration and the largest cohort within that administration is the air traffic controllers. Sequestration is going to result in an announcement by the Department of Transportation within the next several days—if we don't avoid it with a vote on this Senate floor—of restrictions on airports across the United States because of sequestered air traffic controllers.

Mr. TOOMEY. Madam President, will the Senator yield?

Mr. DURBIN. Madam President, I will when I am finished.

We know we are going to have to tell them they are only going to be able to work 4 days out of the week. It is mindless to stand on the Senate floor and say we can cut $1 billion out of the Department of Transportation and no one will feel it. Come on. Get real. We have 7 months left in this year. These agencies are trying to come up with the savings, and the only places they can turn are very limited.

Ashton Carter, Deputy Secretary of Defense, just went through with what they are facing. These are not easy because the sequestration was never meant to be easy. It is hard.

Please don't sugarcoat it and say there is a magic wand out there to find $1 billion in the Department of Transportation and that if the President would just look closely, I am sure we can do it. It is not that simple.

The Senator has been involved in the supercommittee, and he has been involved in looking at this budget. He knows that on a bipartisan basis we can find savings. There is money to be saved in every single agency of government, but you don't do it with a heavy-handed sequester approach.

Please don't suggest we are favoring the idea of air traffic control being limited in America. I want it expanded. Unfortunately, the sequestration is going to limit it in the State of Illinois

and in the Commonwealth of Pennsylvania.

I will yield for the Senator's question.

Mr. TOOMEY. Madam President, it is hard for me to follow this. The Senator is decrying the effects of the sequestration, and what Senator INHOFE and I are offering is a way to minimize the damage.

In the President's submitted request for the FAA, did he contemplate laying off air traffic controllers or closing towers? I know the answer. The President's budget—which he submitted to Congress and is a public document—requested a certain funding for the FAA.

Mr. DURBIN. For the next fiscal year?

Mr. TOOMEY. For the current fiscal year, the President's most recent request. The President's request was for less money than the FAA will have if the sequester goes through. I don't think the President was planning to lay off air traffic controllers.

Mr. DURBIN. Reclaiming my time, this is getting perilously close to a debate, which I will tell those in attendance never happens on the floor of the Senate. I will tell the Senator at this time we are dealing with the CR and last year's appropriations for the Department of Transportation; that is what Secretary LaHood is using. He is using the Budget Control Act numbers. So the President's request, notwithstanding—I am not sure how the Senator voted, but there was a bipartisan vote for limiting the amount of money that could be spent in this fiscal year. I voted for it, and that is what the Secretary is operating under.

The reality is this: Even with the Inhofe amendment, $1 billion has to be cut from the Department of Transportation, and the flexibility notwithstanding, the options are so limited at this point in time.

I will tell the Senator pointblank that I believe we need to reduce this deficit. Sequestration is a terrible way, but there is an alternative. There will be an alternative this afternoon, and we will ask the Senator from Pennsylvania and to the Senator from Oklahoma: Are they prepared to say we are going to limit the direct agriculture support payments to farmers who have had the most profitable years in their lives and don't need them? Are they prepared to say that people making $5 million a year in income ought to pay the same tax rate as the secretaries who work for them? If they are, we can avoid the worst parts of the sequestration. If they are not, be prepared, we are in for a pretty rough ride.

Mr. INHOFE. Would the Senator yield?

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. This has been very interesting. This is not what I was going to speak on. I was going to speak on the amount of cuts we have already taken in our appropriations bill on Labor, Health, Human Services, Education, NIH, and Centers for Disease Control.

I could not help but hear my friend from Pennsylvania talk about the President's budget as though that is controlling this. Would the Republicans want to adopt everything in the President's budget? I don't think so. They might want to select this or that or this or that, but are we now hearing from my friends on the other side that we should just carte blanche rubberstamp the President's budget? I sure hope not.

I remind my friends that the Constitution of the United States clearly says this body has two functions: taxing and spending—not the President and not the executive branch. The executive branch can propose whatever budget they want, it is up to us to decide both how to collect the taxpayers' money and how to spend it. It does not matter to me exactly what the President proposes. What I want to know is how do we—as Senators and as Congressmen—feel about where we should be investing our money and on what we ought to be spending the taxpayers' money.

The idea that somehow the President's budget says this or that and that people can pick and choose whatever they want with it, I submit again, I will bet my friends on the other side will not say: We will just adopt the President's budget as it is and we will go with that. I don't think they are ready to do that. I would not even do that for a President of my own party.

I wish to talk a second, again, about sort of the intransigence on the part of my friends on the Republican side—not only in this body but in the other body—of not countenancing any other funding or raising of revenues. I keep hearing the Speaker say: We gave revenues last month, that we had $700 billion of revenues last month; now it is time to talk about spending cuts.

What the Speaker has done is he has drawn an arbitrary starting line of January 2013. What about last year and the year before when we adopted over $1.4 trillion in spending cuts that have already been adopted? What about the starting line there? That is when we started to address the $4 trillion we needed by 2020 to stabilize our debt.

We have come up with about $1.4 trillion in spending cuts and about $700 billion in revenue. It is not the idea that we have already given up and that we have collected enough revenue. That is not it at all. Going forward we need a balance between revenues and spending cuts.

I want to read some of the things we have done in our own committee last year. We had $1.3 billion in cuts. We eliminated the education technology state grants, which a lot of people kind of liked. The Even Start Program was eliminated. The tech-prep education state grants were eliminated. The mentoring children of prisoners was eliminated; the foreign language assistance was eliminated; the civic education was eliminated; The Alcohol Abuse Reduction Program was eliminated. The career pathways innovation fund was eliminated.

Many of these programs were started by my friends on the Republican side at some time in the past, some were started by Democrats, but most of them were started jointly with Republican and Democrats. What I am pointing out is that we have already cut a lot of things out of Health and Human Services, education, NIH, and the Centers for Disease Control. I can tell that you Dr. Francis Collins, the head of NIH, warned that the sequester will slash another $1.6 billion from NIH's budget at the very time when we are on the cusp of having some good breakthroughs in medical research. A lot of medical researchers have been lined up and doing some great programs out there. Now all of a sudden they are going to have the rug pulled out from underneath them, but that is what is going to happen.

I might mention the kids with disabilities and what is going to happen with the funding for the IDEA, the Individuals with Disabilities Education Act. I am told about 7,200 teachers, aides, and other staff who help our communities and our schools cope with kids with disabilities who come into schools—because under IDEA we are providing that kind of support—are going to be cut. But it is going to be cut.

So this idea that somehow we can keep cutting and cutting and cutting and we are going to get to some magic land where we can continue to function as a society just isn't so. We need revenues. That is what is in the bill the majority leader has proposed, revenues that will help us reach that point where we can have both spending cuts and revenues and stabilize our debt at a reasonable percentage of our GDP.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I ask unanimous consent to waive the mandatory quorum call in relation to the cloture vote on the motion to proceed to S. 16.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TO PROVIDE FOR A SEQUESTER REPLACEMENT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 16, which the clerk will state.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 19, a bill to provide for a sequester replacement.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, S. 16, an Inhofe/Toomey bill to cancel budgetary resources for fiscal year 2013.

Mitch McConnell, John Cornyn, Patrick J. Toomey, James M. Inhofe, Johnny Isakson, Richard Burr, John Thune, Tom Coburn, Jeff Sessions, Roger F. Wicker, Mike Johanns, Mike Crapo, Pat Roberts, Ron Johnson, James E. Risch, Jerry Moran, John Barrasso.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed on S. 16, a bill to provide for a sequester replacement, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

The yeas and nays resulted—yeas 38, nays 62, as follows:

[Rollcall Vote No. 26 Leg.]

YEAS—38

Alexander	Enzi	Murkowski
Barrasso	Fischer	Portman
Baucus	Flake	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Scott
Burr	Hoeven	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Thune
Coburn	Johanns	Toomey
Cochran	Johnson (WI)	Vitter
Corker	Kirk	Warner
Cornyn	McConnell	Wicker
Crapo	Moran	

NAYS—62

Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Paul
Blumenthal	Heller	Pryor
Boxer	Hirono	Reed
Brown	Johnson (SD)	Reid
Cantwell	Kaine	Rockefeller
Cardin	King	Rubio
Carper	Klobuchar	Sanders
Casey	Landrieu	Schatz
Collins	Lautenberg	Schumer
Coons	Leahy	Shaheen
Cowan	Lee	Stabenow
Cruz	Levin	Tester
Donnelly	Manchin	Udall (CO)
Durbin	McCain	Udall (NM)
Feinstein	McCaskill	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wyden
Graham	Mikulski	

The PRESIDING OFFICER. On this vote, the ayes are 38, the nays are 62. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to proceed to S. 16 is withdrawn.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 18, S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

Harry Reid, Barbara A. Mikulski, Patty Murray, Sheldon Whitehouse, Mark Begich, Kirsten E. Gillibrand, Jack Reed, Sherrod Brown, Patrick J. Leahy, Robert P. Casey, Jr., Richard J. Durbin, Jeanne Shaheen, Richard Blumenthal, Benjamin L. Cardin, Charles E. Schumer, Barbara Boxer, Debbie Stabenow.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 388, a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Rollcall Vote No. 27 Leg.]

YEAS—51

Baldwin	Gillibrand	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—49

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

The PRESIDING OFFICER (Ms. WARREN). On this vote the yeas are 51, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Madam President, I enter a motion to reconsider the vote by which cloture was not invoked on my motion to proceed.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

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

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CORPORATE JET LOOPHOLE

Mr. MORAN. Madam President, as we all know, our country faces tremendous fiscal challenges. We expect our President, our leaders, and those of us in Congress to engage in a meaningful and honest discussion about debt, deficits, and the direction of our Nation. Unfortunately, I think what Americans—certainly Kansans—are hearing from the White House and from some prominent Democrats is a relentless focus on political gimmicks to solve our problems.

An example of one of those is the so-called corporate jet loophole. We are focused on that instead of a serious plan to address the looming sequestration cuts that threaten to harm our economy. The President's fixation on corporate jets stands in direct contrast with his supposed desire to help the aviation industry and create jobs. Ending the accelerated depreciation schedule for general aviation aircraft will send hundreds if not thousands of hardworking Kansans straight to the unemployment line. My State is blessed with a significant number of people who work in the aviation industry.

This rhetoric is dangerous. It is certainly hypocritical. The 5-year depreciation schedule has been law for nearly a quarter of a century, and it was not created for the benefit of the ''rich'' or ''wealthy'' but was created for the benefit of the 1.2 million Americans who make a living building and servicing these airplanes. Accelerated depreciation helps spur manufacturing and creates jobs.

I am disappointed that the President continues his endless campaign to score political points rather than to work toward a real solution to solve our Nation's fiscal challenges. When 23 million Americans are looking for work, our government's first priority should be to create an environment where business can grow and hire additional workers. Increasing taxes on corporate jets and other general aviation aircraft sales will only further stifle economic recovery and result in additional job losses.

According to our Joint Committee on Taxation, closing the ''loophole,''

would only generate $3 billion in revenue over the next 10 years, less than the government borrows on a single day. Kansans in particular, along with the rest of rural America, would be negatively impacted by any change in the depreciation schedules for noncommercial aircraft. Farmers use general aviation aircraft to dust their crops, and rural small business owners rely on these planes to connect their businesses with the rest of the world. It makes no sense for a commercial jumbo jet liner to be depreciated on the same schedule as a farmer's air tractor.

This distinction between general and commercial aircraft is neither a loophole nor unique, as the 5-year depreciation schedule is applicable to many other depreciable transportation assets, such as cars and trucks. If the President wants Congress to review the depreciation periods associated with certain assets, then why single out one specific industry instead of taking a comprehensive approach? Because attacking corporate jets is apparently a nice political sound bite. But political sound bites don't solve our problems.

Because of the expiration of the Bush tax cuts on January 1 of this year, President Obama received $600 billion in tax hikes to help fund his vision for government expansion. Yet less than 2 months later he is back on the campaign stump asking American taxpayers for more.

While the amount of revenue our government currently brings in is near historical averages, spending remains well above those historical norms and is projected to escalate dramatically in the years ahead. It is long past time to address the real problem with meaningful spending reductions, and every moment spent talking about corporate jet loopholes is a wasted moment.

Americans expect leadership from their elected officials here in Washington, DC. If we fail to take action now and leave it for a future President and a future Congress to solve, we will reduce the opportunities of the next generation to experience the country we know and love, and we will diminish the chance that every American has the chance to pursue the American dream.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. I ask unanimous consent to speak for 15 minutes as if in morning business.

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

SEQUESTRATION

Mr. GRASSLEY. Madam President, the last 2 days in the debate here, a lot has been said about the sequestration that presumably is going to happen tomorrow. I would like to speak on that subject because it is very important, particularly the history of sequestration and what has gone on here in recent weeks as we discuss this issue.

In August 2011 a compromise was reached to grant President Obama's request to raise the debt ceiling by $2.1 trillion. I believe that was because we had a feeling that there ought to be a $1 decrease in spending for every $1 increase in the ceiling. So that adds up to $2.1 trillion. In exchange for an increase in the debt ceiling, we Republicans in Congress asked for spending reductions. This all added up to the Budget Control Act passed on August 2, 2011. Decisions we are debating today were decided 18 months ago, so if you didn't like them in 18 months, you had an opportunity to change them. But here we are at the last minute talking about some changes.

The Budget Control Act of August 2, 2011, included budget caps to cut about $900 billion in spending immediately—August 2, 2011—and then it set up a supercommittee to find at least $1.2 trillion in additional deficit reduction. History shows that the supercommittee could not reach an agreement. So the failure of the supercommittee to reach an agreement led to the sequestration we are now debating and facing tomorrow, which is, as we know, automatic spending reductions of $1.2 trillion over the next 10 years.

I didn't support the Budget Control Act. I don't criticize those who did, and to be fair, it was a bipartisan vote that got the Budget Control Act adopted. I knew at the time—and one of the reasons I voted against it—that the supercommittee was unlikely to reach an agreement and that it would ultimately only further delay difficult fiscal decisions that needed to be made. But at the end of the day the bipartisan majority in the Senate and the House passed and President Obama signed the Budget Control Act—a bill to bring about $2.1 trillion in spending reductions over the next 10 years.

Most believe sequestration is a terrible way to reduce spending. I agree. There are surely better ways to reduce spending by the $85 billion that is going to happen this year—of which, by the way, only $44 billion is going to be spent between now and September 30.

When that is done, we are going to have a situation where every year there is going to be some decision made on whether to continue the $1.2 trillion, and I hope for the good of the country that continues, whether it is by across-the-board automatic cuts or maybe there will be a compromise that can be reached to do it in a more studied way.

The Republican-led House of Representatives, soon after the 2011 decision, recognized that the automatic reductions weren't the best way to do it. So last year they passed two bills to reorganize those cuts in a more structured way. Did the Senate consider those two bills? No. The Democratic-led Senate produced or considered no bill prior to today to avert the sequester.

So I think it is fair to say that for the 18 months we could have been working together to find an agreement, nothing was done after the House of Representatives worked that agreement. Now we have all these crocodile tears flowing from the majority here in the Senate because of the terrible hardship this sequester may cause. Well, where have they been for the last 18 months? Why have they not proposed a single piece of legislation to avert sequestration until this very last minute? The two votes we just had today are an example.

Why has the Senate avoided regular order with such vigor? In other words, regular order—let the committees hold hearings; let the committees debate, amend, vote a bill out; let it come to the Senate floor; debate, amend, and vote it to a conference with the House of Representatives. But no regular order. Under regular order, you work to compromise. But the Senate failed to act after the House acted. So here we are at the eleventh hour to consider an alternative.

Just like their inability to produce a budget in nearly 4 years, this Senate majority has again failed to act. A budget is a very important part of fiscal discipline, but we haven't had a budget debate for 3 years even though the 1974 law requires us to have such debate and passage.

Tomorrow the President is going to meet with leaders in the Congress to see what can be done about sequestration, but why the very same day sequestration is taking place? What has the President been doing?

Well, we have seen him traveling around the country generating mass hysteria about what might happen—and wouldn't have had to do it if we had regular order here in the Senate in the meantime.

I would like to remind my colleagues that not only is the sequester a product that came from the White House, he explicitly pledged to veto a proposal to replace the cuts sometime when it was brought up in late 2011 and 2012. This is what the President said on November 2011:

> Some in Congress are trying to undo these automatic spending cuts. My message to them is simple. No. I will veto any effort to get rid of those automatic spending cuts to domestic and defense spending. There will be no easy off-ramps on this one.

Now the President and the Democrats here in the Senate want us to agree to more tax hikes on the American people rather than to cut the $3.6 trillion budget by just 2.4 percent, which they agreed to as part of the 2011 deal. Tax hikes were not included in that deal. They weren't included because we know that spending is the problem, not revenues.

The President must be absolutely frustrated. He apparently can't manage

a meager 2½-percent reduction even though just a few years ago he stated:

I want to go line by line through every item in the federal budget and eliminate programs that don't work and make sure that those that do work, work better and cheaper.

He must not have had any success because once again he is asking for a tax hike to reduce the deficits rather than addressing the real cause of the problem, which is spending.

Over the past several years we have heard a lot from the other side about increasing taxes on the so-called wealthy. The President and my Democratic colleagues argued that this was necessary to make the rich pay their fair share. Well, on January 1 the other side got their wish. The top statutory tax rate increased from 35 to 39.6 percent. When this statutory rate increase is coupled with the hidden rate increase from reinstituting the personal exemptions phaseout and the limitation on itemized deductions, the top marginal effective tax rate is not 39.6 percent but near 41 percent.

Not only did we see an increase in the income tax on January 1, but we also saw a significant tax increase on capital gains and dividends. The fiscal cliff bill instituted a top 20 percent tax rate on capital gains and dividends. However, this is not the whole story. A provision from the health care reform bill that imposes a 3.8-percent surtax on investment income also went into effect at the start of the year. Thus, the top rate has jumped not from 15 percent to 20 percent but instead to 23.8 percent. That, of course, is nearly a 60-percent rate hike. You would think, after securing these tax hikes on the so-called wealthy, the other side would claim victory and move on. At least one would think they would move on from the tired old rhetoric that the wealthy do not pay their fair share.

Even before the most recent tax hikes, that claim was dubious at best. According to the Congressional Budget Office—remember, that is a nonpartisan study group that gives us basic information on changes of law—they say the top 1 percent already had an average Federal tax rate of 29 percent compared to 11 percent for the middle 20 percent of households. Yet the other side continues their politics of division. They continue to pit American against American and single out politically unpopular industries for tax hikes. While this may be good politics, it does not make good policy. You know, it is the other rule we ought to follow: Good policy is good politics.

The other side has resurrected in addition as part of this package before us the so-called Buffett rule, which would phase in a minimum 30-percent tax rate for taxpayers earning more than $1 million. This is despite the fact that this proposal was voted down by this body less than a year ago and they know there is no chance of it passing at this point. Moreover, their argument for this provision makes even less sense now, given the tax increases that went into effect on January 1.

It also is not clear to me why, when we are talking about reforming the Tax Code, we are now seeking to add an additional layer of complexity onto a Tax Code we already agree is too complicated.

At the end of the day, all the Buffett rule will accomplish is siphoning off more job-creating capital and investment for Main Street so that we can spend it here in Washington, DC. I hope we all know that government consumes wealth, it does not create wealth. The wealth is created outside of this city of Washington, the seat of our government. We have to take that into consideration. It takes capital to create jobs. If you want to get unemployment down, you do not take capital out of the private sector.

In addition to the Buffett rule, the other side has resurrected another proposal voted down by this body less than a year ago. This proposal has to do with businesses deducting ordinary and necessary business expenses. The rhetoric from the other side is that their proposal would close a loophole that incentivizes companies to ship jobs overseas. The problem is no such provision exists. The deduction for ordinary and necessary business expenses is a mainstay of our Tax Code. It is an income-defining provision that accounts for the cost of doing business. What the proposal before us actually does is target companies doing business on a worldwide scale for a tax hike. This will not create jobs in America. It will not bring jobs that have relocated offshore back home. What it will do is punish businesses that seek to expand in the international markets, which in turn could actually cost us jobs here at home.

The final tax increase included in the other side's proposal today is more of a budget gimmick than a serious proposal to help pay for the delay in the sequester. The proposal would subject oil from tar sands to taxes that support the oilspill liability trust fund. However, if the revenue raised from this proposal is dedicated to this trust fund, how can it at the same time be dedicated to deficit reduction? If we are going to get serious about deficit reduction, we need to put an end to this double-counting charade.

The only spending the other side is willing to cut is farm subsidies. Using farm subsidies to help pay for sequester replacement puts the Agriculture Committee in quite a tough position. I want to remind my colleagues, though, that when we wrote a farm bill last year that passed the Senate by a bipartisan majority—it didn't pass the House of Representatives—but we cut $23 billion from that. We did away with direct payments, we maintained the crop insurance program, we put money in other programs and in food stamps as well.

There is broad support for the farm bill here in the Senate from both Democrats and Republicans and there is broad support for making spending reductions. But for Democrats to include cutting subsidies outside the context of a farm bill will make it difficult for us to write a farm bill. As we all know, there has been a lot of history of rural and urban legislators working together on farm and nutrition issues in the farm bill. By cutting farm programs in this sequestration replacement, my Democratic colleagues are undermining the ability of the Agriculture Committee to craft a bill that will gain the needed support to move through the Senate in a bipartisan way as it did last June.

I think the proposal will hurt our agriculture communities and I think those involved in American agriculture will oppose it.

At the end of the day, though, there will be money saved in the farm bill. If, given that opportunity, we can provide savings from a lot of programs, we should. We showed that ability last year. We all know the farm bill faced big challenges in the House last year. The challenges probably still exist in that Chamber, but we should not put ourselves in a position where we cannot even get a bill through the Senate.

For those of us who support the farm bill, we should be very concerned that this plan the Democrats are putting forward to avoid sequestration could seriously undermine the ability to pass a farm bill in either Chamber this time around. We just had an opportunity to vote on the Democrats' tax increase. This was the first vote in the Senate on an alternative to sequestration and the first alternative offered by the Senate majority. Over a period of 18 months, they had an opportunity to offer that alternative, just as the House Republicans offered us two alternatives we never took up.

We also had the opportunity to vote on one alternative from the Republican side of the aisle, but both of these votes were for show. I hope we can now work together in a bipartisan way, in regular order, to make sensible spending reductions. It is time to end the incessant talk of more tax hikes on Americans when those tax hikes already took place on January 1, when we know that the problem is in fact runaway spending. It is time to end the constant campaigning and do the work the American people expect us to do so we can leave the next generation a better life than the present generation has.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. COONS). The Senator from Ohio.

Mr. BROWN. 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. BROWN. Mr. President, I ask unanimous consent that the Senator

from Louisiana, Mr. VITTER, be allowed to speak following my remarks.

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

TOO BIG TO FAIL

Mr. BROWN. Mr. President, I welcome Senator VITTER and his cooperation in this matter. I appreciate the work he has done on the issue. He and I are going to address the concentration of the financial system in this country and what that means to the middle class, what it means to business lending for small businesses, and again what it means to the potential of too big to fail, which is something Senator VITTER has been a leader on for a number of years. Both of us are members of the Senate Banking Committee.

More than 100 years ago, in 1889, one of my predecessors, Senator John Sherman, a Republican, and author of the Sherman Antitrust Act—who actually lived in my hometown of Mansfield, OH, and was the only other Senator from that city who served here—said:

> I do not wish to single out Standard Oil Company . . . [s]till, they are controlling and can control the market so absolutely as they choose to do it; it is a question of their will. The point for us to consider is whether, on the whole, it is safe in this country to leave the production of property, the transportation of our whole country, to depend upon the will of a few men sitting at their council board in the city of New York, for there the whole machine is operated?

At the time, Senator Sherman was speaking about the trusts—specifically Standard Oil but other trusts as well—that were large, diverse industrial organizations with outsized economic and political power, not just economic power but also political power. His words are as true then as they are today. Today our economy is being threatened by multitrillion dollar—that is trillion dollar—financial institutions. Wall Street megabanks are so large that should they fail, they could take the rest of the economy with them.

If this were to happen, instead of failure, taxpayers are likely to be asked again to cover their losses and to bail them out just as we did 5 years ago. This is a disastrous outcome because it transfers wealth from the rest of the economy into these megabanks and suspends the rules of capitalism and perpetuates the moral hazard that comes from saving risk-takers from the consequences of their behavior.

Just as Senator Sherman spoke against the trusts in the late 19th century, today people across the political spectrum—both parties and all ideologies—are speaking about the dangers of the large, concentrated wealth of Wall Street megabanks.

In 2009, another Republican—and one a little more familiar to a modern audience—Alan Greenspan said:

> If they're too big to fail, they're too big . . . in 1911 we broke up Standard Oil. . . . Maybe that's what we need to do.

If anyone thought the biggest banks were too big to fail before the crisis, then I have bad news: They have only gotten bigger.

These are the six largest banks and their growth patterns in 1995—18 years ago—had combined assets that were 18 percent of GDP. Today they have combined assets over 60 percent of GDP. Over that time, 37 banks merged 33 times to become the top 4 largest behemoths, which now range from $1.4 trillion in assets to the largest, Bank of America and JPMorgan Chase, which is around $2.3 or $2.4 trillion in assets. That is $2.3 trillion in assets. Since the beginning of the fiscal crisis, three of these four megabanks have grown through mergers by an average of more than $500 billion.

The 6 largest banks now have twice the combined assets of the rest of the 50 largest U.S. banks. These 6 banks—Morgan Stanley, Goldman Sachs, Wells Fargo, Citigroup, JPMorgan Chase, Bank of America—the combined assets of 6 banks, are larger than the next 50 largest banks. Put another way, if we add up the assets of banks 7 through 50, the bank that resulted would only be half the size of a bank made from the assets of the top 6.

As astonishing as these numbers are, they don't tell the whole story. Many megabank supporters argue that U.S. banks are small relative to international banks.

But as Bloomberg reported last week, FDIC Board member Tom Hoenig has exposed a double standard in our accounting system that allows U.S. banks to actually shrink themselves on paper. Under the accounting rules applied by the rest of the world, the 6 largest banks are 39 percent larger than we think they are. That is a difference of about $4 trillion. If that is the case, instead of being 63 percent of GDP under international accounting rules, these 6 banks are actually 102 percent of GDP. Let me say that again. The six biggest banks' combined assets are slightly larger than the entire size of our economy. When measured against the same standard as every other institution in the world, we see the United States has the three largest banks in the world. These institutions are not just big, they are extremely complex.

According to the Federal Reserve Bank of Dallas, the 5 largest U.S. banks now have 19,654 subsidiaries. On average, they have 3,900 subsidiaries each and operate in 68 different countries. These institutions are not just massive and complex—I don't object so much to that—it is they are also risky.

According to their regulator, the Office of the Comptroller of the Currency—and I met with them today—none of these institutions has adequate risk management. Let me say that again. In stress tests, not one of the largest 19 banks has shown adequate risk management.

It is simply impossible to believe that these behemoths will not get into trouble again. We saw what happened with one of the best managed banks with a lot of employees—some 16,000, 17,000, 18,000 employees in my State alone—at one site with 10,000 employees in Columbus: JPMorgan Chase, a well-managed bank with a very competent CEO but a bank that not so long ago lost $6 billion or $7 billion.

It is impossible to believe they will not get into trouble again and they will not be unwound in an orderly fashion should they approach the brink of failure.

If you don't believe me, ask Bill Dudley, President of the Federal Reserve Bank of New York. He said recently that ''we have a considerable ways to go to finish the job and reduce to intolerable levels the social costs'' of a megabank's failure. He said that more drastic steps ''could yet prove necessary.''

Governor Dan Tarullo, from the Federal Reserve, threw his support behind a proposal first introduced by the Presiding Officer's predecessor, Senator Ted Kaufman, and me to cap the nondeposit liabilities of the megabanks some 3 years ago in this body.

These men are not radicals; they are some of the Nation's foremost banking experts.

History has taught us we never see the next threat coming until it is too late and almost upon us. When we passed the Dodd-Frank Act, it contained tools that regulators can use to rein in risk taking.

Unfortunately, many of those rules have stalled, and most will not take effect for years, because it is not just the economic power of the banks but the political powers so often having their way in this city and with regulators all over the country.

Dodd-Frank focuses on improving regulators' ability to monitor risks and enhancing the actions that regulators can take if they believe the risk has grown too great. Over the last 5 years alone we have seen faulty mortgage-related securities, we have seen foreclosure fraud, and we have seen big losses from risky trading, money laundering, and LIBOR rate digging.

Until the Dodd-Frank rules take effect, the rest of us more or less have to stand by idly as megabanks take more risks that almost inevitably and eventually lead to failure.

We shouldn't tolerate business as usual, monitoring risk until we are once again near the brink of disaster. We should learn from our recent history. We should correct our mistakes by dealing with the problem head on. That means preventing the anticompetitive concentration of banks that are too big to fail and whose favored status encourages them to engage in high-risk behavior.

How many more scandals will it take before we acknowledge that we can't rely on regulators to prevent subprime lending, dangerous derivatives, risky proprietary trading, financial instruments that nobody understands, including the people running the banks in many cases, and even fraud and manipulation.

Wall Street has been allowed to run wild for years. We simply cannot wait any longer for regulators to act. These institutions are too big to manage, they are too big to regulate, and they are surely still too big to fail.

We can't rely on the financial market to fix itself because the rules of competitive markets and creative destruction don't apply to Wall Street megabanks as they do to businesses in Louisiana or Delaware or Ohio. Megabanks' shareholders and creditors have no incentive to end too big to fail. As a result, they will engage in ever-riskier behavior. In the end, they get paid out when banks are bailed out.

Taking the appropriate steps will lead to more midsized banks—not a few magabanks—creating competition, increasing lending, and providing incentives for banks to lend the right way.

If there is one thing the people in Washington love, it is community banks. Senator VITTER has been very involved in helping community banks deal with regulations and other kinds of rules. Cam Fine, the head of the Independent Community Bankers of America, is calling for the largest banks to be downsized because he sees that his members, the community banks—there might be 50 million, 100 million, or less than that in assets—are at a disadvantage.

Just about the only people who will not benefit from reining in these megabanks are a few Wall Street executives. Congress needs to take action now to prevent future economic collapse and future taxpayer-funded liabilities.

Before yielding, I wish to thank Senator VITTER, who recognizes this problem with an acuity that most don't have, and for joining me in doing something about it. I am pleased to announce today that we are working on bipartisan legislation to address this too-big-to-fail problem. It will incorporate ideas put forward by Tom Hoenig, Richard Fisher, and Sheila Bair. Senator VITTER will talk about his views in a moment.

The American public doesn't want us to wait. They want us to ensure that Wall Street megabanks will never again monopolize our Nation's wealth or gamble away the American dream.

To those who say that our work is done, I say we passed seven financial reform laws in the 8 years following the Depression, so it is clear there is precedent for not just one time, one fix, but a continued addressing of this problem until we know we have the strength of the American financial system returned to the way it once was.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am proud to join Senator BROWN on the Senate floor to echo those comments. I agree that too big to fail, unfortunately, is alive and well, and that poses a real threat to all of us—to consumers and citizens everywhere and fundamentally to the American economy.

Coming out of the financial crisis, it seemed to me that the biggest threat and the biggest problem was continuing too big to fail. I think now, several years after the passage of Dodd-Frank, we have objective numbers and evidence that it did not bury too big to fail. Again, they are objective numbers and evidence and pricing in the market that too big to fail is alive and well.

I think the fact that Senator BROWN and I are both here on the floor echoing each other's concerns, virtually repeating each other's arguments, is pretty significant. I don't know if we quite define the political spectrum of the Senate, but we come pretty darn close. Yet we absolutely agree about this threat.

I think Senator BROWN's historical analogy is right. It is like the unfettered growth and power of the trusts in the late 19th century, and there too folks of all sorts of ideologies correctly recognized that threat—liberal Democrats as well as Senator BROWN's Republican predecessor, Senator Sherman, and, of course, the biggest Republican trust-buster of all, Teddy Roosevelt. It is the same issue. It is the intense concentration of power. As a conservative, I am very suspicious and nervous about that, whether it is when it is in government or whether it is when it is in the private sector.

I think the sort of bipartisan consensus that, perhaps, we personify on the Senate floor is also growing outside Congress and outside this institution. Senator BROWN alluded to some of it, but let me flesh that out.

We have, for instance, the Federal Reserve Board Governor, Dan Tarullo. He was appointed by President Obama. He was a prominent figure in drafting and implementing Dodd-Frank. He recently lamented:

> . . . to the extent that a growing systemic footprint increases perceptions of at least some residual too-big-to-fail quality in such a firm—

Meaning a megabank—

> notwithstanding the panoply of measures in Dodd-Frank and our regulations, there may be funding advantages for the firm, which reinforces the impulse to grow.

In a little more blunt terms, our colleague, Senator ELIZABETH WARREN, who is also a figure in coming up with Dodd-Frank, said recently in our Banking Committee hearing with Chairman Bernanke:

> I'd like to go to the question about too-big-to-fail; that we haven't gotten rid of it yet. And so now we have a double problem, and that is that the big banks—big at the time that they were bailed out the first time—have gotten bigger, and at the same time that investors believe that too-big-to-fail out there, that it's safer to put your money into the big banks and not the little banks, in effect creating an insurance policy for the big banks that the government is creating this insurance policy—not there for the small banks.

In a similar way, we have those concerns echoed in the real world outside this body on the right as well.

Recently, George Will said:

> By breaking up the biggest banks, conservatives will not be putting asunder what the free market has joined together. Government nurtured these behemoths by weaving an improvident safety net and by practicing crony capitalism.

Peggy Noonan, another well-known conservative, has said:

> If you are conservative you are skeptical of concentrated power. You know the bullying and bossism it can lead to. . . . Too big to fail is too big to continue. The megabanks have too much power in Washington and too much weight within the financial system.

So I do think there is a real and growing consensus in this body, in Washington, and in the real world, as I have suggested by those observers' quotes, and I think we need to build on that consensus and act in a responsible way.

Senator BROWN and I have been doing that, first with joint letters to Chairman Bernanke and others, focusing on the need for significantly greater capital requirements for the biggest banks. We think this would be the best and first way we should try to rein in too big to fail, to put more protection between megabank failure and the taxpayer, more incentive for the megabanks to perhaps diversify, perhaps break up, or at least correctly price their size and risk to the financial system.

We are following up on that initial work that was reflected in letters and specific suggestions to Chairman Bernanke with legislation that is quite far along, and I know we will be talking about more both today and in the near future.

With that, let me invite Senator BROWN to round out his comments, and then I will have a few more words to say.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I know Senator ALEXANDER is waiting to speak. I thank Senator VITTER for his work on this issue. I remember the first discussions Senator VITTER and I had about this when he was asking some tough questions of a couple of regulators—it might have been the Secretary of the Treasury as well as a couple of other regulators—on capital standards and how important it was that, as he just mentioned, these banks have the kinds of capital standards, have the kinds of capital reserves that are so important in making sure these banks are healthy. Probably most of us in our lives have seen the movie ''It's a Wonderful Life,'' and we know what happens to a bank that is not capitalized; a small-town example of a bank that served the country in ways that community banks do. It is a very different story today, perhaps.

But I think his insight into the importance of capital reserves and then continuing these discussions, we both came to the realization that, as he pointed out, people all across the political spectrum—some of my more Democratic colleagues, people such as George Will and others—have been very involved as business leaders and speaking out on issues that matter.

So I thank Senator VITTER for his work. We will be working on legislation, and I am hopeful more of my colleagues see how important this issue is so we can continue to work together.

I yield the floor.

Mr. VITTER. Again, I thank Senator BROWN for his partnership. Senator BROWN, with those posters, made crystal clear the facts. The fact is that since the financial crisis, the megabanks have only continued to grow in size, in dominance, and in market share. In fact, that has accelerated significantly.

Some folks will say: Oh, well, that was a preexisting trend. That is because of a number of factors.

It is certainly true there are a number of factors at issue. But the growth has only accelerated since the crisis and Dodd-Frank. It has not let up. In addition, there have been several recent studies that actually quantify the fact that too big to fail is a market advantage, is, in essence, a taxpayer subsidy, as ELIZABETH WARREN suggested, for the megabanks.

An FDIC study released in September says that. It says:

> The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 was explicitly intended to, in part, put an end to the TBTF [too big to fail] de facto policy.

But it concludes that:

> The largest banks do, in fact, pay less for comparable deposits. Furthermore, we show that some of the difference in the cost of funding cannot be attributed to either differences in balance sheet risk or any nonrisk related factors. The remaining unexplained risk premium gap is on the order of 45 bps [basis points]. Such a gap is consistent with an economically significant ''too-big-to-fail'' . . . subsidy paid to the largest banks.

Another recent study and working paper is an IMF working paper. It simply attempted to quantify that taxpayer too-big-to-fail subsidy. According to that study, before that financial crisis, the subsidy:

> . . . was already sizable, 60 basis points. . . . It increased to 80 basis points by the end [of] 2009.

Then, most recently, Bloomberg has tried to put pen to paper and refine that calculation, and Bloomberg's calculation is $83 billion—an $83 billion subsidy of the five biggest U.S. banks, specifically because of artificially cheap rates created by the market believing they are too big to fail.

I do not like huge size and dominance in market share, period. But certainly—certainly—we should not have government policy that is driving it, that is exacerbating it. It seems to me that should be a solid consensus left and right, Democrat and Republican.

Senator BROWN and I are following up on our previous work and drafting legislation. Of course, we are not ready to introduce that today. But it would fundamentally require significantly more capital for the megabanks and would distinguish between megabanks and other size banks; namely, community banks, midsized banks, and regional banks. The largest banks would have that significantly higher capital requirement.

It would also try to walk regulators away from Basel III and institute new capital rules that do not rely on risk weights and are simple and easy to understand and are transparent and cannot be gamed the way we think Basel III can be manipulated and gamed.

Requiring this would do one or both of two things. It would better ensure the taxpayer against bailouts and/or it would push the megabanks to restructure because they would be bearing more cost of that risk to the financial system.

In addition, we are contemplating and discussing another section of this bill that would do something that I think is very important to do at the same time: create an easier—not a lax but a more appropriate regulatory framework for clearly smaller and less risky financial institutions such as community banks.

Again, I thank Senator BROWN for his partnership. I thank him for his words today. I look forward to continuing to work on this project, as I believe a true bipartisan consensus continues to grow on this issue.

Mr. BROWN. Mr. President, I will speak briefly, and then I will certainly yield to Senator ALEXANDER.

I appreciate very much Senator VITTER's words and comments and insight. I wish to expand for 2 or 3 minutes on one thing he said about the subsidy that these largest six banks get.

We can see again on this chart that 18 years ago these six banks' total assets were 18 percent; 18 years ago it was 18 percent of GDP. Today, through mergers and growth—and I would argue unfair competition in many cases—they are over 60 percent. But what Senator VITTER said, which I think is important to expand on a bit, is the subsidies these banks get—Bloomberg said it was about $83 billion a year in subsidies they get because of government action or inaction, frankly. It is interesting, that $83 billion, when we are talking about the sequester today is about $85 billion, is not relevant, except putting it in some context.

But the reason they have this $83 billion subsidy, $85 billion subsidy or so—$83, $84, $85 billion—or they have the advantage, when they go in the capital markets, of getting the advantage of 50, 60, 70, 80 basis points—and 80 basis points is eight-tenths of 1 percent in interest rate advantage—is because the capital markets believe their investments in these banks are not very risky because the markets believe these banks are too big to fail because they have the government backup for them.

So if they have no risk, people are willing to lend money to them at lower interest rates. That is why the Huntington Bank in Columbus, OH, a large regional bank with about $50 billion in assets, or Key, a larger bank in Ohio—still, though, a regional bank—or banks in Coldwater, OH, or Sycamore, OH, or Third Federal in Cleveland—banks that maybe own only a few tens of millions or even up to $1 billion in assets—do not have that advantage. They pay higher interest rates when they borrow because the people who lend to them know they are not going to get bailed out if something bad happens.

It is only these six largest banks that have that advantage. So because they can borrow money from the markets at a lower rate, they are, in effect, being subsidized because we have not fixed this too-big-to-fail problem for the Nation's banks.

So it is not a Senator or a conservative Republican or a progressive Democrat from Louisiana or Ohio making this case that they are getting this advantage; it is the capital markets that have decided, yes, these are too big to fail, so we are going to lend them money at lower rates than we would lend to the Huntington or Key or Third Federal or FirstMerit in Ohio.

Fundamentally, that is the issue; that it is our actions or inactions that have given these banks a competitive edge that nobody through acts of government—whether you are a liberal or a conservative—should believe it should be part of our economic system and our financial system.

I thank Senator VITTER and yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The Senator from Tennessee.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 421 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Ms. MURKOWSKI. Mr. President, I am pleased to stand with so many colleagues not only here on the Senate side but over in the House to recognize an accomplishment—an accomplishment of the Congress. I think it is important to recognize that in these times that are so contentious, where a lot of messages go back and forth but at the end of the day we haven't governed, we haven't done what we had hoped legislatively, we haven't really helped people, today we can be proud that we have worked to help people, particularly women, and that is through final passage of the Violence Against Women Act. It has been a long time coming.

We successfully moved that legislation through this body last year. I was a proud cosponsor, an early cosponsor. This ought not to be a Republican issue or a Democratic issue. It ought not be a woman's issue. It is an issue that should bother all of us when we cannot stand together and help those who have been victims of domestic violence. If

we can't do that as a minimum, we really aren't doing our job, we really aren't doing service to people.

It is exceptionally good news that not only have we seen final passage in the Senate again this Congress with 78 Senators in support, but today the House on a vote of 286 ayes to 138 nays advanced the Violence Against Women Act reauthorization.

I wish to acknowledge the good work of the Judiciary chairman, Senator LEAHY, for his leadership and for continually pushing. Sometimes you need to keep going at it until it is recognized that the time has long passed, come and gone, that we should act.

I am pleased that we heard the call of some 1,300 organizations representing domestic and sexual violence groups, such as the AWAIC shelter in Anchorage. So many of the shelters across my State—truly, those agencies, those people have done so much to help so many.

There is cause for celebration that the Congress has finally taken the right action to help those victims of domestic violence. I am pleased to acknowledge that accomplishment today.

KING COVE, ALASKA

Mr. President, I want to continue with a story I began a few weeks ago. I stood before this body and decried the actions of the Fish and Wildlife Service when they announced they were moving forward with a no-action alternative in an area of the State of Alaska on the Aleutian chain, in the Aleutians East Borough where the small community of King Cove, a small community of less than 1,000 people, was being denied access to an all-weather airport—an airport that could help relieve the suffering, the anxiety. Truly, there is trauma that comes when there is a medical emergency in your community and you are trapped because of the weather: You can't get a plane, you can't get a boat safely to you. There is an option, and that option would require that a 10-mile stretch of road, a one-lane gravel road designed for noncommercial use, be placed on the edge of the refuge to allow for this Aleut community to access the rest of the world for help, for medical help.

I stood and I told my story, and I wanted to update the Senate as to where we stand today because as much as I would like to say that I was successful down here on floor in encouraging the Secretary of the Interior to act in the best interests of the people who live in King Cove, respect their safety, respect their lives as much as the refuge is being respected—I wouldn't need to update you; I would just say it was a good win for all. The fact is that we are not there yet. So I think it is important that people understand where exactly we are.

I think this is about the sixth visit the people of King Cove have made from King Cove, AK—some 4,000-plus miles—to Washington, DC. They were given an opportunity to meet with Secretary Salazar this morning. I had an opportunity, along with Senator BEGICH, to get an update on that meeting, and I heard that it was good and the Secretary listened. I hope the Secretary listened not only with his ears but with his eyes as he saw the tears of those people, with his soul as he heard their fears, their anxieties. I so hope that the Secretary appreciates that when he says his highest moral responsibility is to the Native and Indian people, he is able to translate that into action, into positive action for these people in King Cove.

I would like to share with you in the few minutes I have remaining some of the stories the Secretary heard this morning.

The community of King Cove is out in the Aleutians, about 600 air miles from Anchorage. It is about a $1,000 roundtrip ticket to get to Anchorage. Why do you need to get to Anchorage? King Cove has a medical clinic, it has a physician's assistant. If you have anything more serious than a need to set a broken bone, for instance, you must leave the village for care in Anchorage, so you need to make that trip.

A community such as King Cove has real mountains. It is tough to get in and out by plane. In fact, the Coast Guard, which was called in to do five rescues last year, says that getting in and out of the King Cove airstrip is one of the worst places in Alaska because of the terrain, the weather, the wind shears that come off the mountains, the turbulence that pushes a helicopter down. It is just a bad-case scenario. Fixed wing, helicopter—it doesn't make any difference. It is tough.

There is an option. King Cove is on the water, but the waters in King Cove are not always calm. In this picture, unfortunately, it seems almost tropical looking with the blue waters. This is the dock in King Cove. You might not be able to see it from where you are sitting, Mr. President, but each one of these rungs up this steep metal ladder is about 2 feet. So if you were down here in your boat, if you had been delivered by crab boat to King Cove—about a 2½ or 3 hour ride across waters that can be about 20 feet high in the blowing gale—you then have an opportunity to come to the dock, and this is the way you get up the dock.

However, if you are like Lonnie's father—Lonnie was here to speak to the Secretary today. His father, a 67-year-old man, had double pneumonia. They had to get him out of King Cove and into Anchorage. In order for this very sick man to get up this ladder, his son, who is right down here, is pushing him up from behind. They have a line from a crab pot around his upper body. This gentleman just had shoulder surgery a couple months prior to this, and they literally hauled him up.

This was several years ago. You might think, well, maybe things have gotten better in King Cove. This picture is an individual being hauled up off the docks in a gurney-type of sled. This dock is where he is being hauled up. This is how we haul the crab pots out of the water. Two weeks ago this gentleman broke his leg in four different places and was in danger of losing his foot if he couldn't be medevaced to Anchorage.

The technology hasn't gotten better. We haven't been able to figure out how to move people safely if they are injured.

There are situations with aircraft where, because of the wind shears and the topography, there are landings like this. This is the landing that Della Trumble, who came back to speak to the Secretary this morning, witnessed as her daughter, who was in this plane, was on approach. All of a sudden gusts came out of nowhere and this aircraft was pushed down, smashed into the runway. Fortunately, there were no fatalities. But Trisha, her daughter, who also came back to talk with the Secretary, is so frightened to fly anymore that it is pretty amazing that she was even able to make the trip back.

The stories are so real, and the stories are so much in the present. We think about those who aren't here to tell the stories. These are some of the individuals who over the course of years have died, whether in an airplane crash some years ago where four individuals died, whether it is Christine or Mary or Ernest or Walter. These are folks who didn't make it out. But what we don't have here are those people living now who have their foot, barely, or who recovered from that double pneumonia, barely. They are living to tell the story or their family members are living to tell the story, but they are horror stories.

There is a simple answer, and a simple answer is a 10-mile, one-lane gravel road with a cable along the length of the road so that you can't go off the road and go joyriding in the refuge.

We are talking about a small community of less than 1,000 people being attached to another community where there are less than 100 people. You are never going to have the volume of traffic you have in your State or that I have in the more urban areas of Alaska. We are talking about a connector road to be used for noncommercial uses.

When a woman like Annette needs to travel up this ladder—I don't care even if it is good weather like this—if a pregnant woman needs to get out of town by getting on a crab boat and going 3 hours across turbulent waters, hauling her up a metal ladder like this to get to an airplane, where she may fly out and make that connection to Anchorage—when you put her through this, you wonder why that pregnant woman is doing that. You cannot deliver a baby in King Cove. We don't have doctors, and we don't have anesthesiologists. Six weeks before your due date, you are told to go to town. ''Town'' is Anchorage, AK—600 miles away. When they are 8 months pregnant, every pregnant woman in King Cove must get out. This is what we are putting these people through. And the answer is so simple.

So I stand before you today with a call—a call to Secretary Salazar, a call to this administration to listen to the people. Listen to the people who have lived in an area for a thousand-plus years who want to continue to call this place home and who are looking for very basic accommodations—very basic accommodations.

We have refuges all over this country. I got an e-mail from a friend of mine who said, as I am sending you this text, I am driving through a refuge in Florida—driving through a refuge in Florida. It is a paved road. There are signs along the road. There are two lanes and it is a refuge. We are asking for a 10-mile, 1-lane gravel, basically emergency access road for the people of King Cove.

Sometimes I think because King Cove is so far out of the way—at the end of the world as far as some people are concerned—it is kind of out of sight, out of mind, and that maybe what we do is we say in this part of the country the birds are more important than the people. There is sensitive habitat out there, I agree, and we need to be responsible in how we protect habitat. But we can protect habitat and we can also let the human beings who live there exist or coexist side by side and do it respectfully. The people in King Cove respect the land more than you and I can ever appreciate, because if they fail to respect the land, they do not live.

So when we talk about how we can reach an accommodation, the people of King Cove say, we are asking for a simple level of safety, and in order to gain this level of safety, we are willing to give up our lands. We are willing to give up other lands we own in exchange for this small corridor. So when we are talking about this trade, this land conveyance exchange we signed off on in 2009, it is a 300-to-1 exchange. The Federal Government gets 300 times more than the Aleuts get—300 times more—or basically 56,000-plus acres going to the Federal Government. This will be the first new wilderness created in Alaska since INILKA back in the 1980s.

What is being asked for is this small corridor, basically 206 acres, all told. Yet the Fish and Wildlife Service has said, Nope, 300-to-1 isn't good enough for us. They think there are other alternatives. They say: Well, why can't you have a ferry? Put a lightweight aluminum ferry out there. And do you know what the Fish and Wildlife Service did? They actually went out, when they were looking at the EIS, and they decided they were going to cost out what an aluminum ferry might cost. So when the Director of Fish and Wildlife sat down with me, he said: Senator, there is another alternative out there.

Well, he should talk to the people of King Cove about how viable an across-water alternative is when, during the wintertime, you can't get into these areas because it is all iced over. You can't get into that area. Talk to the people in King Cove about what it means to be very sick, to have double pneumonia, to be 8½ months pregnant, to have broken bones or a broken body, and have to fight 20-foot waves for 3 hours and then climb up a ladder, such as the one I have shown here, in those elements, to get to an all-weather airport that can get you safely to Anchorage. All they are asking for is a 10-mile gravel road.

I have suggested to the Secretary—and I have suggested this to the President's nominee to be Secretary of the Interior—that sometimes I think there is a double standard; that we allow things to go on in other parts of the country, but in Alaska there is a different standard. The standard for the safety of an American should never be changed. It should not be higher for someone in the eastern part of the country than it is for somebody out in King Cove. We are talking about the safety of Americans, with a reasonable alternative. We shouldn't be having to fight our government this way.

But the people of King Cove are willing to travel all the way to make their case. I thank the Secretary for hearing them out. I think the Secretary is a compassionate man, and my hope is that when he looked in their eyes and he heard their stories his heart was moved to respect the people of King Cove, to respect the Alaska Natives, to respect them as much as he has shown respect for the public lands he has been entrusted to protect these past 4 years. Here is an opportunity to issue this best-interest finding and to reverse the decision from the Fish and Wildlife Service which says that no action is the way we go forward.

No action compromises the safety of these Americans. That is not acceptable.

We will keep working. We will keep fighting. But I believe that in the end, right will prevail and the people of King Cove will have their safety.

With that, Mr. President, I thank the Chair. I yield the floor.

(Mrs. GILLIBRAND assumed the Chair.)

WOMEN'S HISTORY MONTH

Mr. LEAHY. Madam President, tomorrow we will begin commemoration of Women's History Month—an annual occasion to celebrate and honor the many contributions of women to American history, culture, and society. Since our Nation's founding, generations of women have fought injustice and broken down barriers at home, in the workplace, and in their communities in pursuit of the American dream. During Women's History Month, we remember these struggles, celebrate our collective progress, and renew our commitment to protecting the rights of all women.

Earlier this month, the Senate came together in the best tradition of the Chamber to pass the Leahy-Crapo Violence Against Women Reauthorization Act with a strong bipartisan vote. This bill would not have passed without the strong leadership and support of every woman currently serving in the Senate. And today the House of Representatives passed our bipartisan bill to help survivors of rape, domestic violence, stalking, and human trafficking. On the eve of Women's History month, Congress's actions will prevent terrible crimes and help countless victims rebuild their lives.

A few days from now, on March 3, 2013, we will mark the centennial celebration of the 1913 women's suffrage procession—a watershed moment in the struggle for women's right to vote. On March 3, 1913—the eve of the inauguration of President Woodrow Wilson—more than 5,000 women from every State in the Union assembled in Washington, DC, to march for the right to vote. They did so in the face of widespread opposition to their cause, and some were hospitalized after violence erupted along the parade route. A century later, this courageous public act is recognized as the key turning point that led to the ratification of the 19th amendment to the Constitution, giving women the right to vote in 1920.

In the coming days, we will witness the arc of American history, as thousands of women retrace the steps of the heroines of 1913, by reenacting the Women's Suffrage March. This ''Centennial Women's Suffrage March'' will be led by the women of Delta Sigma Theta Sorority, Incorporated—the only African-American women's organization to participate in the 1913 march. I commend Delta Sigma Theta Sorority, UniteWomen.org, the American Association of University Women, the Daughters of the American Revolution and the many other women's organizations that will join forces to reenact this historic event. I also commend the many government and private sector institutions that will support this event, including the National Archives and Records Administration, the National Park Service, the National Women's History Museum, and the Smithsonian's National Museum of American History.

Like the many Americans who will commemorate the women's suffrage march this weekend, I celebrate the progress that we have made towards justice, fairness, and equality for women—and for all of our citizens. But, while we have made remarkable strides towards gender equality, gender discrimination still exists. According to a recent study by the American Association of University of Women, full-time working women who are recent college graduates earn, on average, just 82 percent of what their male counterparts earn in the workplace. This gender wage gap directly affects the economic stability of American families. A Center for American Progress report on women in the workplace found that in 2010 nearly two-thirds of all American mothers were either the primary breadwinner for their family or shared that financial responsibility with a spouse or a partner.

As we celebrate Women's History Month, the courageous acts of the American heroines of 1913 should inspire us all to work to eliminate the gender inequalities that still exist in our society today. I join all Americans in celebrating the countless contributions of women to our Nation's history and culture and in working towards a more just and fair society for future generations of American women and girls.

REMEMBERING LORI ACTON

Mr. MCCONNELL. Madam President, it is with deep regret and grief that I inform my fellow senators of the passing of my personal friend, Lori Acton. Mrs. Acton was a dynamic and dedicated woman whose absence in the community of Laurel County will be immediately and acutely felt.

Lori is someone who cannot be replaced. As the executive director of the Laurel County Public Library, she was a passionate leader who was visionary without being reckless, infectiously funny without being frivolous, direct and driven without being rude or mean-spirited, and a tireless worker who fully enjoyed the life and work she participated in. Her work with the library spanned nearly three decades, but the impact of her influence and passion cannot be measured by the usual metrics. Indeed, as one local writer noted, ''what people like Lori mean to a community cannot be seen by those who do not know her.'' She revolutionized the library system through hiring a stellar staff, instituting new, creative, and interesting programs, and constantly improving every issue she addressed.

Lori made an impact on people's lives. Not only did the library benefit from her enthusiastic approach to fostering a love of reading and learning, but her very presence and constant smile became signatures of her community. Countless testimonies from those who knew her speak to what an incredible impact she had as both a librarian and a friend.

At this time, I ask that we join together with the community of Laurel County, KY, in mourning the loss of my friend Mrs. Lori Acton. I believe that others can aspire to emulate Lori's character, enthusiasm, love and involvement with the community she lived in.

I also ask unanimous consent that an article lauding Lori from the Laurel County-area publication the Sentinel Echo appear in today's RECORD.

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

[From the Sentinel Echo, January 30, 2013]

LAUREL LIBRARY DIRECTOR DIES MONDAY

(By Jeff Noble)

CORBIN.—For more than a quarter-century, Lori Acton gave people of all ages a window to the world and beyond by opening the doors to them at the Laurel County Public Library.

On Wednesday, her colleagues and friends remembered Acton as a passionate advocate for inspiring others through the library's staff, service, and outreach programs.

Acton, the library's district director since 1985, died Monday at her home in London. She was 57.

''The library was more than a job to Lori—it was her passion, and she worked tirelessly to make the library a place everyone could come and enjoy and learn. From babies to seniors, she wanted this library to offer whatever it could to enrich their lives and the community. We plan on working our hardest to make sure that Lori's vision to the future continues,'' the library's deputy director, Peggy Mershon, said Wednesday.

Another who knew Acton said she was the driving force in moving the library from its 4th Street location to its present home on College Park Drive in London, which opened in 2003.

''Her visionary leadership, enthusiasm, and energy have been pivotal in creating a model of what a library can become in the 21st century,'' said R. W. Dyche III, president of the Laurel County Public Library's Board of Trustees.

In a phone interview Wednesday, Dyche said two traits made Acton stand out above the crowd.

''Number one, she was full of enthusiasm. Lori pursued all goals with enthusiasm. It was her determination that led directly to the opening of the new library. Second, she had a lot of strengths. One of them was she was not afraid to hire extremely talented people to work for her. She'll be remembered as a very happy person, so pleased to help people in Laurel and surrounding areas with their educational needs.''

To honor her memory, the main library and their branches in Corbin and North London were closed Tuesday.

A picture of Acton, along with the dates of her birth and death in white letters over a black background, was posted on the home page of the library's website.

Kathryn Hardman was one of Acton's closest friends. Together the two worked on improving literacy in the county, and also were active in community activities as members of the London Rotary Club.

She said in a phone interview Wednesday the news of Acton's passing was still echoing over London and Laurel County.

''We're all pretty shocked. It's incomprehensible. She had a lot of friends in the community. She's been a vital part of our community for 28 years. The community mourns this loss,'' noted Hardman, who is the executive director of Laurel County Adult Education.

Hardman pointed out that because of Acton's direction, the library spearheaded the creation of the program in 1986 to promote adult literacy. Acton was also on the board of directors of the Saint Joseph London Foundation.

There were other roles in Acton's life. Hardman added, ''Her most significant role was as mother, wife, daughter, sister, and friend.''

''We've been having lunch for 25 years. We talked about our careers, our community, our nation, our families, and of course, politics. We both loved to talk about politics. It would be fair to say we both had strong opinions.''

Acton's role as a Rotary member was extensive. At the time of her passing, she was looking forward to working on the annual Rotary International Dinner, a project Acton had headed for the past five years, and is sponsored by both the London and Corbin Rotary Clubs.

That passion Acton had with the library extended to her planning the dinner and to helping worthy causes, said Corbin Rotary Club member the Rev. John Burkhart.

''Lori had a lot of energy, high spirits, and she laughed a lot. She was very polite, sociable, and was an extraordinary Rotarian. She was lively, she'd ask a lot of questions to the speakers, and was very actively involved. Lori wasn't a wallflower.''

Just before noon Wednesday, this message was posted on the library's Facebook page:

''Lori Acton had an unwavering passion for this library, always striving to give her community what she felt was needed and deserved. Her enthusiasm, leadership and commitment will be missed by all of us. Please remember her family and friends in your thoughts and prayers.''

Several who knew Acton responded in kind. One person wrote, ''Lori was a wonderful librarian and inspired me to become a librarian. I will miss seeing her on my visits home.''

Another said, ''I smile (through) my tears when I think of Lori. She just ALWAYS had a smile and a laugh when you saw her. Always making you feel real special. How I loved her passion for life.''

Lori Holzworth Acton was a native of Sterling, Colorado, located northeast of Denver near the Wyoming border. She is survived by her husband and four children. Her mother, two sisters, and a brother also survive. Visitation is at 11 a.m. Saturday at House-Rawlings Funeral Home in London, with funeral services Saturday at 1 p.m. in the funeral home's chapel with the Rev. Wade Arp officiating. Burial will follow at A.R. Dyche Memorial Cemetery in London, with House-Rawlings Funeral Home in charge of arrangements.

REMEMBERING JACK SIZEMORE

Mr. MCCONNELL. Madam President, I rise today to reflect on the loss of Mr. Jack Sizemore, an exemplary citizen of Kentucky and a genuinely good man. Mr. Sizemore, of Laurel County, was laid to rest on February 12, 2013, and is survived by his wife, 7 children, 20 grand-children, 16 great-grandchildren, and two sisters.

The words, ''let me tell you what Jack Sizemore did for me'' are commonly heard in Jack's beloved town of London, and represent just how sorely his presence will be missed. His legacy of goodwill is firmly established after years working in the Laurel County Detention Center, as he chose to build a reputation as a jailer who ''liked the job he was doing and [who] took care of the prisoners in a humane way and with the utmost courtesy.'' This testimony comes from his former supervisor Edd Parsley, who admits that ''you don't find many men like that.''

Jack was known to always have people laughing, and the community he loved so much has looked back and seen all the ways he touched their lives. The health problems that plagued his final years cannot begin to take attention away from his legacy and reputation.

At this time, I ask that my colleagues in this United States Senate join me in honoring Mr. Jack Sizemore. Along with our condolences to his friends and family, we simultaneously offer our gratitude and praise of this truly wonderful man.

I also ask unanimous consent that an article on the life and service of Mr. Jack Sizemore that appeared in the Laurel County-area publication the Sentinel Echo be included in the RECORD.

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

[From the Sentinel Echo, February 15, 2013]

FORMER JAILER REMEMBERED AS 'GOOD MAN'

(By Nita Johnson)

LAUREL COUNTY, KENTUCKY.—A former Laurel County jailer, chief administrator of the jail, and deputy sheriff was laid to rest on Tuesday after ongoing health problems.

Jack Sizemore, 76, died Saturday at his home from frontotemporal dementia, which left him unable to communicate with others. Sizemore left a legacy of goodwill for his family, friends and co-workers.

Edd Parsley worked with Sizemore after Parsley was appointed as jailer in 1997. Sizemore stayed on as chief administrator of the Laurel County Detention Center when Parsley was elected to a four-year term as jailer.

''Jack worked for me for six years as chief administrator of the jail, and he was one of those people that if you told him to do something, you could very well rest assured that he would carry it out,'' Parsley said. ''He liked the job he was doing and he took care of the prisoners in a humane way and with the utmost courtesy. You don't find many men like that.''

Describing Sizemore as ''a good man,'' Parsley reviewed Sizemore's background that made him invaluable at the jail.

''He was experienced in law enforcement. He was a deputy under several sheriffs,'' Parsley said. ''He realized what had to be done and did it. He served this county well as a jailer, chief administrator and deputy.''

Barb Rudder, who has worked in the booking department of the jail for nearly 20 years, said Sizemore was ''a good person to work with.''

''He always used to have people laughing and he would tell everyone that I was his babysitter.''

After Sizemore retired, Rudder said she visited him during his illness the past two years.

''It's a sad loss for the community and for his family,'' she said.

That loss is indeed sad for Madgel Miller, who was one of Sizemore's stepchildren.

''Jack was my stepdad, but we didn't use 'step' in our family,'' Miller said. ''He had seven kids, 20 grandchildren, 16 great-grandchildren, some of whom were step. But step was never considered in the family.''

Sizemore faced several health issues during the latter part of his life, Miller said, including a quadruple bypass in 2008.

''But he came through that very well and since he did, we were expecting him to have a long retirement.''

But other health problems came with the frontotemporal dementia, which affects one's communication skills.

''It is a rare form of dementia, but he and my mother never had a problem communicating,'' she said. ''He loved my mother unconditionally, and they had their own form of communicating.''

But the past several months had taken its toll on the former jailer, and Miller said by Christmas, Sizemore was very ill.

''He had a rapid decline from it [dementia]. Last week, he had a real hard time of it, and my mother made a doctor's appointment for him,'' Miller added. ''He was in the hospital Wednesday because the doctor said he was weak and dehydrated. But he was able to walk in the hospital. He went home Friday and had a good night with family, and some friends came over. He couldn't communicate with us. He died in his sleep that night, with Mom and me beside him.''

Choking back tears, Miller described Sizemore as a man with ''a good heart'' who was also ''very intelligent.''

Miller said many people had come to tell the family how Sizemore had touched their lives.

''It was good to hear people say, 'Let me tell you what Jack Sizemore did for me,' and it was stories that he never told. Jack was always telling stories, but these were about what he did for people,'' Miller said. ''I remember when I was going to college, he would tell me, 'This is a good place to raise kids. This is a good place to live.' He loved this town.''

Hearing the impact that her father had had on the people he dealt with during his lifetime, Miller said her opinion of Sizemore's goodwill towards others was reinforced.

''He was a very private person and didn't tell people about the dementia,'' she said. ''He knew how to handle people and how to keep his own life private and personal. We made the arrangements quickly because he would rather be remembered in better times. Knowing Jack Sizemore, he would have had it no other way.''

SHELBY COUNTY V. HOLDER

Mr. DURBIN. Madam President, in 2005, I was honored to join Congressman JOHN LEWIS on a trip to Selma, AL, for a ceremonial walk over the Edmund Pettus Bridge to mark the 40th anniversary of what has come to be known as ''Bloody Sunday.''

In March of 1965, Congressman LEWIS, Rev. Hosea Williams, and 600 other brave civil rights activists led a voting rights march over that bridge.

These courageous men, women, and children were marching for civil rights and voting rights. All they would receive that day, however, were beatings and bruises from police batons as they were turned back and chased down by State troopers.

A few days after ''Bloody Sunday,'' President Johnson addressed the Nation and called on the House and the Senate to pass the Voting Rights Act.

Shortly thereafter, the Voting Rights Act was signed into law, guaranteeing that the fundamental right to vote would never again be canceled out by clever schemes—like poll taxes and literacy tests—devised to keep African Americans from voting.

The Voting Rights Act is the cornerstone of the civil rights movement and one of the most effective laws on the books when it comes to protecting the right to vote for all Americans.

On Wednesday, the Supreme Court heard oral arguments in Shelby County v. Holder, a case challenging the constitutionality of section 5, which is the very heart of the Voting Rights Act.

That section requires jurisdictions in all or part of 16 States with a history of discrimination to get approval from the Department of Justice or a Federal court before making any changes to congressional districts or voting procedures.

This is not the first time that the Supreme Court has heard a challenge to the Voting Rights Act. Though it has been subject to four prior Supreme Court challenges, the Voting Rights Act has always emerged intact and on sound legal and constitutional ground.

Each of the four times that the Voting Rights Act has been reauthorized—in 1970, 1975, 1982, and most recently in 2006—Congress has done so with the broad bipartisan support and overwhelming majorities that are all too rare these days.

That is because protecting the right to vote should not be a partisan prerogative. It is not a Democratic or Republican issue. It is a fundamental right for every eligible voter, and it is a core value of our American democracy.

In 2006, the House of Representatives voted 390 to 33 in favor of reauthorizing the law. The Senate voted unanimously, 98 to 0, to reauthorize the law. And the final bill was signed into law by President George W. Bush.

There was good reason for this bipartisan support for reauthorizing the Voting Rights Act. Congress developed an extensive record, holding 21 hearings, reviewing more than 15,000 pages in the CONGRESSIONAL RECORD, and hearing from more than 90 witnesses about the need to reauthorize the law.

Conservative Republican Congressman JIM SENSENBRENNER is one example. Congressman SENSENBRENNER was the chairman of the House Judiciary Committee when Congress reauthorized the Voting Rights Act. He strongly believes that section 5 is constitutional, and he has filed a brief asking the Supreme Court to uphold the law.

My hope is that the Supreme Court will look at the extensive evidence Congress reviewed in 2006 and defer to the judgment of an overwhelming majority of the House and a unanimous Senate.

The Court should affirm the constitutionality of this critical tool for protecting the right to vote.

We all acknowledge the progress that our great country has made on civil rights and voting rights issues. The current occupant of 1600 Pennsylvania Ave., is a symbol and timely reminder that our Nation has indeed grown to be more perfect—and more inclusive in many ways—than just a few generations ago.

We are not yet, however, a perfect union. And some of the jurisdictions covered by the Voting Rights Act have both a demonstrated history and a contemporary record of implementing discriminatory restrictions on voting.

The Voting Rights Act has been essential in securing the progress we have made as a nation over the last five decades.

And as my Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights found during a series of hearings last Congress, the Voting Rights Act remains a relevant and critical tool in protecting the right to vote.

After a careful analysis of new voter ID laws in Texas and South Carolina, the Department of Justice used its authority under section 5 of the Voting Rights Act to object to the implementation of new photo identification requirements.

In Texas, according to the State's own data, more than 790,000 registered voters did not have the ID required to vote under the new Texas law.

That law would have had a disproportionate impact on Latino voters because 38.2 percent of registered Hispanic voters did not have the type of ID required by the law.

In South Carolina, the State's own data indicated that almost 240,000 registered voters did not have the identification required to vote under the State's new law.

That included 10 percent of all registered minorities in South Carolina who would not be able to vote under the new law.

That is more than 1 million registered voters who would have been turned away from the polls in Texas and South Carolina if the Department of Justice did not have the authority to object to those photo identification laws under the Voting Rights Act.

Opponents of the Voting Rights Act claim that some of the jurisdictions covered by the law should no longer be subject to it.

They rarely mention, however, that the Voting Rights Act itself contains a provision allowing jurisdictions to ''bail out'' or be excused from coverage under the law if they demonstrate compliance with the law for the previous 10 years.

In 2006, the Supreme Court clarified and expanded this bailout provision.

As a result, more than 190 jurisdictions have bailed out of coverage under the Voting Rights Act. The fact that so many jurisdictions have been excused from coverage under the law proves two very important points.

First, the Voting Rights Act is having its intended effect. States and localities that previously had a record of discriminating against minority voters are no longer doing so thanks to the scrutiny of the Voting Rights Act.

Second, the Voting Rights Act is not over-inclusive. Jurisdictions that can prove they are not discriminating—over a reasonable period of time—will be excused from coverage under the law.

The Voting Rights Act is not about who wins an election. It is not about political advantage. It is about ensuring that every eligible American can vote and that their vote will be counted.

As long as there continues to be evidence that some people are being denied the right to vote, we have an obligation to remedy that problem.

The Voting Rights Act has done its job of protecting the right to vote for almost 50 years. Congress did its job in 2006 by developing an extensive record and reauthorizing the law in an overwhelming and bipartisan manner.

It is my hope the Supreme Court will now do its job and affirm the constitutionality of this critical law.

SOUTHERN ILLINOIS TORNADO ONE-YEAR ANNIVERSARY

Mr. DURBIN. Madam President, this week marks the 1-year anniversary of the deadly tornado that devastated the towns of Harrisburg and Ridgway in Saline and Gallatin Counties.

I visited both of those towns right after the tornado.

I have seen my fair share of tornado damage in my life. But when I visited Harrisburg and Ridgway, I saw some things I have never seen before. I expected to see some trees blown down and shingles torn off roofs. Instead, I saw entire houses lifted from their concrete foundation and tossed on top of the neighboring house.

The loss of homes and property was really difficult to bear, but the real tragedy lies in the lives that were claimed by this tornado. Eight people died as a result of this violent storm: Randy Rann, Donna Rann, Jaylynn Ferrell, Mary Osman, Linda Hull, Greg Swierk, Don Smith and R. Blaine Mauney.

But despite this incredible loss, when I visited Harrisburg and Ridgway, what I didn't see were broken spirits. Instead, from the very minute this disaster took place, people came together to rebuild the community. The outpouring of support was amazing almost 6,000 people pitched in before it was all over.

And I can't say enough about the tireless efforts the emergency personnel who were there from the minute that the sirens went off. They were there to help under the most extraordinary circumstances.

I went to Harrisburg 5 weeks after my first visit and I was amazed at how much better the community looked.

Today, both communities have made incredible progress moving forward, thanks again to everyone engaged in the rescue and cleanup at every level, and during this entire past year.

I also want to recognize the hard work and dedication of: Jonathan Monken, head of the Illinois Emergency Management Agency; Eric Gregg, Mayor of Harrisburg; Becky Mitchell, Mayor of Ridgway; State Senator Gary Forby; and State Representative Brandon Phelps. They were there when their constituents and their communities needed them the most.

Today, when I see how much the residents of Harrisburg and Ridgway have done to rebuild their communities over the past year, I am proud to be from Illinois and proud to be part of this great Nation.

TRIBUTE TO DIANNE JONES

Mr. DURBIN. Madam President, I rise today to pay tribute to a friend and exceptional Illinoisan who recently passed away.

In 1949, a young woman from New York moved to Chicago to attend college at Roosevelt University. Her name was Dianne Jones, and she stayed for the next 63 years.

After graduating from Roosevelt, Dianne decided she wanted to teach, and she began planting her roots in the civil rights and labor communities. Along with her husband Linzey, she fought for civil rights and equality by helping to organize two Chicago-area chapters of the NAACP. Dianne then led the successful effort to desegregate the city's Rainbow Beach, and she even attended the 1963 March on Washington where Martin Luther King, Jr. delivered his famous ''I Have a Dream'' speech.

As a teacher, Dianne established herself as an advocate for educators and children by helping to found one of the first teachers unions in Illinois. She later served as that union's local president, as well as vice president of the Illinois Federation of Teachers. As a teacher and an advocate, Dianne spent her life fighting to promote equality, justice, civil rights and education in Illinois. And she enjoyed it.

Once, when asked about her career, Dianne said, ''Everyone should get to work at what they would volunteer to do.''

Dianne Jones was one of the lucky people who got to do just that. Those roots that she planted 50 years ago have continued to grow and multiply ever since.

COMMITTEE ON APPROPRIATIONS

RULES OF PROCEDURE

Ms. MIKULSKI. Madam President, the Senate Appropriations Committee has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SHELBY, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

SENATE COMMITTEE ON APPROPRIATIONS
COMMITTEE RULES—113TH CONGRESS

I. MEETINGS

The Committee will meet at the call of the Chairman.

II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of

sworn testimony by any subcommittee, one member shall constitute a quorum.

III. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

VI. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee's consideration of said bill and report.

VII. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

VIII. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

SPECIAL COMMITTEE ON AGING

RULES OF PROCEDURE

Mr. NELSON. Madam President, the Special Committee on Aging has adopted rules governing its procedures for the 113th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Special Committee on Aging be printed in the RECORD.

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

SPECIAL COMMITTEE ON AGING

JURISDICTION AND AUTHORITY

S. Res. 4, §104, 95th Congress, 1st Session (1977)

(a)(1) There is established a Special Committee on Aging (hereafter in this section referred to as the ''special committee'') which shall consist of nineteen Members. The Members and chairman of the special committee shall be appointed in the same manner and at the same time as the Members and chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the special committee are initially appointed on or affect the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the Membership of the special committee, the number of Members of the special committee shall be reduced by one until the number of Members of the special committee consists of nine Senators.

(2) For the purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)–(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)–(d), and 2(a) and (d) of rule XXVII of the Standing Rules of the Senate; and the purposes of section 202(I) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

(b)(1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(2) The special committee shall, from time to time (but not less than once a year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

(c)(1) For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the service of individual consultants or organizations thereof (as authorized by section 202(I) of the Legislative Reorganization Act of 1946, as amended) and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the special committee or any Member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any Member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the Member signing the subpoena.

(d) All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, Eighty-seventh Congress, are transferred to the special committee.

RULES OF PROCEDURE

I. CONVENING OF MEETINGS

1. *Meetings*. The Committee shall meet to conduct Committee business at the call of the Chairman. The Members of the Committee may call additional meetings as provided in Senate Rule XXVI (3).

2. *Notice and Agenda:*

(a) *Written or Electronic Notice*. The Chairman shall give the Members written or electronic notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(b) *Shortened Notice*. A meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting on shortened notice. An agenda will be furnished prior to such a meeting.

3. *Presiding Officer*. The Chairman shall preside when present. If the Chairman is not present at any meeting, the Ranking Majority Member present shall preside.

II. CONVENING OF HEARINGS

1. *Notice*. The Committee shall make public announcement of the date, place and subject matter of any hearing at least one week before its commencement. A hearing may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing on shortened notice.

2. *Presiding Officer*. The Chairman shall preside over the conduct of a hearing when present, or, whether present or not, may delegate authority to preside to any Member of the Committee.

3. *Witnesses*. Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least 48 hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

4. *Oath*. All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any Member, may request and administer the oath.

5. *Testimony*. At least 48 hours in advance of a hearing, each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, in a format determined by the Committee and sent to an electronic mail address specified by the Committee, unless the Chairman and Ranking Minority Member determine that there is good cause for a witness's failure to do so. A witness shall be allowed no more than five minutes to orally summarize his or her prepared statement. Officials of the federal government shall file 40 copies of such statement with the clerk of the Committee 48 hours in advance of their appearance, unless the Chairman and the Ranking Minority Member determine there is good cause for noncompliance.

6. *Counsel*. A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his or her rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from the government, corporation, or association.

7. *Transcript*. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in closed sessions and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting his or her transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious

errors of fact. The Chairman or a staff officer designated by him shall rule on such request.

8. *Impugned Persons*. Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record; and

(b) request the opportunity to appear personally before the Committee to testify in his or her own behalf.

9. *Minority Witnesses*. Whenever any hearing is conducted by the Committee, the Ranking Member shall be entitled to call at least one witness to testify or produce documents with respect to the measure or matter under consideration at the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the hearing.

10. *Conduct of Witnesses, Counsel and Members of the Audience*. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts him or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative or any law enforcement official to eject said person from the hearing room.

III. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. *Procedure*. All meetings and hearings shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern Committee investigations or matters enumerated in Senate Rule XXVI(5)(b). Immediately after such discussion, the meeting or hearing or portion thereof may be closed by a vote in open session of a majority of the Members of the Committee present.

2. *Witness Request*. Any witness called for a hearing may submit a written or an electronic request to the Chairman no later than twenty-four hours in advance for his or her examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. *Confidential Matter*. No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Ranking Minority Member.

IV. BROADCASTING

1. *Control*. Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

2. *Request*. A witness may request of the Chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his or her testimony cameras, media microphones, and lights shall not be directed at him or her.

V. QUORUMS AND VOTING

1. *Reporting*. A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. *Committee Business*. A third shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present.

3. *Hearings*. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

4. *Polling:*

(a) *Subjects*. The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) Committee rules changes and (3) other Committee business which has been designated for polling at a meeting.

(b) *Procedure*. The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls. If the Chairman determines that the polled matter is one of the areas enumerated in Rule III(1), the record of the poll shall be confidential. Any Member may request a Committee meeting following a poll for a vote on the polled decision.

VI. INVESTIGATIONS

1. *Authorization for Investigations*. All investigations shall be conducted on a bipartisan basis by Committee staff. Investigations may be initiated by the Committee staff upon the approval of the Chairman and the Ranking Minority Member. Staff shall keep the Committee fully informed of the progress of continuing investigations, except where the Chairman and the Ranking Minority Member agree that there exists temporary cause for more limited knowledge.

2. *Subpoenas*. The Chairman and Ranking Minority Member, acting together, shall authorize a subpoena. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation.

3. *Investigative Reports*. All reports containing findings or recommendations stemming from Committee investigations shall be printed only with the approval of a majority of the Members of the Committee.

VII. DEPOSITIONS AND COMMISSIONS

1. *Notice*. Notices for the taking of depositions in an investigation authorized by the Committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. *Counsel*. Witnesses may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of Rule II(6).

3. *Procedure*. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted by the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member overrules the objection, he or she may refer the matter to the Committee or the Member may order and direct the witness to answer the question, but the Committee shall not initiate the procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Committee.

4. *Filing*. The Committee staff shall see that the testimony is transcribed or electronically recorded.

5. *Commissions*. The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use.

VIII. SUBCOMMITTEES

1. *Establishment*. The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote. The Chairman of the full Committee and the Ranking Minority Member shall be ex officio Members of all subcommittees.

2. *Jurisdiction*. Within its jurisdiction as described in the Standing Rules of the Senate, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.

3. *Rules*. A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee Membership, and for hearings shall be one Member.

IX. REPORTS

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of a majority of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: ''Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee.''

X. AMENDMENT OF RULES

The rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed or via polling, subject to Rule V (4)

HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the

procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 28, 2013, a majority of the members of the Homeland Security and Governmental Affairs Committee's Subcommittee on Financial and Contracting Management adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Financial and Contracting Oversight.

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

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

(1) SUBCOMMITTEE RULES.—The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Government Affairs and the Standing Rules of the Senate.

(2) QUORUMS.—For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that one member of the minority is present. Proxies shall not be considered for the establishment of a quorum.

(3) TAKING TESTIMONY.—All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

(4) SUBCOMMITTEE SUBPOENAS.—Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with the approval of the Ranking Minority Member of the Subcommittee, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 24 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Homeland Security and Governmental Affairs Committee's Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce.

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

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Government Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term ''routine business'' includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Government Affairs any measures, matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Homeland Security and Governmental Affairs Committee's Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia.

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

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Government Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term ''routine business'' includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Government Affairs any measures, matters or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Government Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

RULES OF PROCEDURE

Mr. CARPER. Madam President, Senate Standing rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the RECORD not later than March 1 of the first year of each Congress. On February 27, 2013, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on Investigations adopted subcommittee rules of procedure.

Consistent with Standing rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

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

RULES OF PROCEDURE FOR THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or the approval of a Majority of the Members of the Subcommittee. In all cases, notification to all Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chairman and notice of such approval to the Ranking Minority Member or the Minority counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chairman or Chief Counsel. Investigations may be undertaken upon the approval of the Chairman of the Subcommittee and the Ranking Minority Member with notice of such approval to all Members.

No public hearing shall be held if the Minority Members unanimously object, unless the full Committee on Homeland Security and Governmental Affairs by a majority vote approves of such public hearing.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, they may file in the office of the Subcommittee, a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Subcommittee Members may file in the office of the Subcommittee their written notice that a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, his or her representative or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing, and to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Subcommittee Chairman may rule that representation by counsel from the government, corporation, or association, or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing other witnesses. This rule shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such a manner so as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

9. Depositions.

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chairman. The Chairman of the full Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or such Subcommittee Member as designated by him or her. If the Chairman or designated Member overrules the objection, he or she may refer the matter

to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Subcommittee.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chief Counsel or Chairman of the Subcommittee 48 hours in advance of the hearings at which the statement is to be presented unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during the testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his or her expense if he or she so requests.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to the Chairman of the Subcommittee questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Subcommittee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame him or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chairman of the Subcommittee or its counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chairman and the Ranking Minority Member waive this requirement.

If a person requests the filing of his or her sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in his or her sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff members and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff members shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff members shall work under the direction and supervision of the Ranking Minority Member. The Chief Counsel for the Minority shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chairman and Ranking Minority Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

DOD APPROPRIATIONS

Ms. COLLINS. Madam President, I rise to discuss an amendment I have filed to the bills dealing with sequestration. I am pleased that Senator KING has joined me as a cosponsor.

Our amendment is the fiscal year 2013 Department of Defense appropriations bill that was approved by the Senate Appropriations Committee by a bipartisan vote of 30 to 0 on August 2, 2012.

There is no doubt we must find a way to avoid the meat-ax approach to budgeting that will occur under sequestration.

At the same time, we must recognize that a continuing resolution also presents real challenges for those trying to carry out the necessary functions of the Federal Government, including providing for the national defense. Continuing resolutions have become far too routine. This familiarity, however, should not blind us from the harm these stop-gap measures cause to the effective and efficient functioning of government.

A yearlong continuing resolution would be just as devastating as sequestration. I am not alone in that judgment. After a New York Times editorial that claimed the Pentagon can easily absorb the cuts of sequestration, Deputy Secretary of Defense Ash Carter wrote the following in a letter published on February 27, 2013:

> Good management is undermined by sequestration and by something that your editorial does not mention but that is as much of a problem—the fact that we have no new appropriations bills and are living under last year's law. These two factors together lead to dangerous absurdities like having to curtail soldiers' training, ships' sailing, and airplanes' flying. Our military will therefore not be fully ready to meet contingencies other than Afghanistan.

Secretary of Defense Leon Panetta and the service chiefs have also repeatedly warned that the effects of sequestration or a yearlong continuing resolution will be devastating to our national security and defense industrial base.

On January 14, 2013, the Chairman of the Joint Chiefs of Staff and the heads of each military service signed a letter warning that ''the readiness of our Armed Forces is at a tipping point'' and the unfolding budget conditions, including the continuing resolution, are causing this readiness crisis.

Regardless of what happens with sequestration, a continuing resolution presents two major problems.

First, the readiness of our military will be put at risk unless the Department of Defense is able to transfer funds from investment accounts into readiness accounts. Under the continuing resolution, the Department cannot do this. That is why the letter signed by seven four-star generals said the current budget uncertainty will ''inevitably lead to a hollow force.''

Second, a yearlong continuing resolution prevents the Pentagon from performing three responsibilities crucial for national security: increasing production rates for existing weapons, starting new programs not previously funded the year before, and signing multiyear procurement contracts that provide significant savings while reducing the unit cost for taxpayers.

There are several examples of these multiyear procurement contracts that cannot move forward without an appropriations bill. For example, Congress authorized the Navy to procure 10 destroyers during the next 5 years in the Fiscal Year 2013 National Defense Authorization Act. The Navy has the bids for these ships in hand and the Navy is

ready to sign, but the Navy cannot sign these contracts without an appropriations bill. We risk throwing away savings on the order of hundreds of millions of dollars if we do not enact the fiscal year 2013 appropriations bill.

The ramifications of inaction on a full-year appropriations bill are not limited to the 6 months remaining in this fiscal year. Failing to enact a full-year appropriations bill that allows new starts and cost-saving multiyear procurement contracts will jeopardize the long-term stability in the shipbuilding industrial base that the Congress and the Navy have worked long and hard to preserve.

When I questioned Deputy Secretary Carter on February 14, 2013, at a Senate Appropriations Committee hearing about what the continuing resolution means for shipbuilding, he testified that ''we're in the absurd position where we're five months into the fiscal year and we have the authority to build the ships that we built last year and no authority to build the ships that we plan to build this year. That's crazy. . . And that has nothing to do with sequester, by the way, that's the C.R.''

The existing continuing resolution expires on March 27. That deadline is just 4 weeks away, but each week that passes puts our military increasingly at risk and makes it less prepared.

I know the chairwoman of the Senate Appropriations Committee and its ranking member, Senator MIKULSKI and Senator SHELBY, share my concern that continuing resolutions are not the way to govern. I am also encouraged about reports that the House of Representatives may consider a bill next week which includes a full-year defense and a full-year veterans affairs and military construction budget.

At least as far back as 1974, Congress has never failed to pass a Department of Defense appropriations bill. Now is not the time, with troops in the field and the looming threat of sequestration, to establish a dangerous precedent of denying our military services the support they need to accomplish the mission we have asked them to perform.

This year's continuing resolution hurts our military readiness now and, even more, in the future.

It is time to show the American people that we can act responsibly before the very last minute. The men and women who serve our country are performing every task we have asked of them. It is long overdue for the Congress to do the same, so I urge the Senate to act to replace the current CR with a full-year Department of Defense appropriations bill as our amendment would provide.

TRIBUTE TO RICHARD D. DEBOBES

Mr. MCCAIN. Madam President, today I honor an exceptional public servant and patriot. After a lifetime of service to our Nation, Richard D. ''Rick'' DeBobes is retiring from his position as staff director of the Senate Armed Services Committee, effective February 28, 2013. On this occasion, it is fitting to recognize Rick's 50 years of uniformed and civilian service to our Nation.

Rick began his career as a naval officer, serving 26 exemplary years in jobs that included directing the International Negotiations Branch of the Navy's Judge Advocate General, commanding the Naval Legal Service Office, and finally serving as the legal adviser and legislative assistant to the Chairman of the Joint Chiefs of Staff, where he helped craft policies that have shaped our modern joint military force. Such a career, in and of itself, illustrates a commitment to causes greater than self-interest.

Rick's devotion to service and excellence continued long after he left active duty. Upon his retirement from the Navy, he joined the Senate Armed Services Committee as counsel, advising committee members on issues relating to national security strategy, defense policy, foreign affairs, and Department of Defense organization and management. Rick's authoritative analysis and counsel to members distilled complex issues and often served as a basis for common understanding and problem solving. Few were surprised then, when in 2003 he was asked by Senator CARL LEVIN to be the committee's staff director. Ten years on, the wisdom of that selection is evident. Rick's steady management of the committee, amidst strong personalities and throughout the occasionally animated policy debates, has yielded the admiration of his professional colleagues in Congress and the Department of Defense, and a long record of legislative success. Thoughtful leaders throughout government will feel his absence.

I join many past and present members of the Senate Armed Services Committee in my gratitude to Rick DeBobes for his outstanding leadership in uniform and in Congress, and his unceasing support for members of the Armed Forces. I wish him and his wife Margaret ''fair winds and following seas.''

RETIREMENT OF WAYNE LEONARD

Ms. LANDRIEU. Mr. President, I rise today to honor Wayne Leonard, who served as Entergy's chief executive officer from 1999 and chairman/CEO from 2006 until January 2013. Over the course of those years, his visionary leadership as Entergy's top executive also encompassed impassioned advocacy for issues such as climate change, poverty and social justice. To a great extent, his compassion for people from all walks of life and his desire to protect the environment for future generations came to define his tenure at Entergy.

When Leonard was named CEO in 1999, he began calling for action by business, community, and political leaders to break the cycle of poverty that has stunted economic growth in the mid-South region for generations. Since that time, Entergy has donated more than $50 million to charitable initiatives and advocacy efforts that successfully helped move low-income residents toward self-sufficiency. Among them were campaigns to improve early childhood education programs and financial support of a matched-savings program that has helped 19,000 people and created an economic impact of $69 million over the last decade.

Leonard pioneered the pursuit of sustainability within his industry. Early on, he recognized the importance to the industry's future of operating in an economically, environmentally, and socially sustainable manner. His achievements include a number of landmarks that set the standard and shaped the future for the energy industry. Under his leadership, in 2001 Entergy became the first utility in the United States to commit to voluntarily reduce greenhouse gas emissions. At the same time, work force safety, customer satisfaction, and strong regulatory relationships were always top priorities for Leonard. Entergy has delivered top-quartile shareholder return—the overarching financial goal Leonard set for the company—since he was announced as CEO in 1998.

After the devastation of Hurricane Katrina in 2005, Leonard led the restoration not just of a company but also a city and its surrounding region. Entergy and its charitable foundation donated more than $20 million to nonprofits working to rebuild the physical, intellectual, and cultural assets of New Orleans. When Katrina's damages prompted Entergy to consider relocating its corporate headquarters, Leonard lobbied to keep Entergy in New Orleans and take a lead role in the city's revitalization and renewal.

Leonard has personally received numerous national honors in recognition of his outstanding leadership, including Platts Global Energy CEO of the Year, the Anti-Defamation League Torch of Liberty Award, and the National Wildlife Federation Achievement Award. During his tenure, Entergy was named to the Dow Jones Sustainability Index for 11 consecutive years for demonstrating strong financial performance and outstanding leadership in environmental and social commitment.

Leonard's passionate commitment to building a strong, sustainable company, community, and energy industry never wavered in 14 years. In honor of his legacy, Entergy endowed a $5 million charitable fund upon his retirement to continue his work on climate change, poverty, and social justice issues. The fund is being endowed through shareholder-funded donations to the Entergy Charitable Foundation, with Leonard serving as an adviser.

While I will miss working with Wayne to improve both New Orleans and Louisiana, I applaud the work he has done to leave my city and my State stronger, healthier, and on the path to a brighter future.

Mr. CASEY. Mr. President, today I rise to honor and remember the full life of Marlene ''Linny'' Fowler for her exceptional service to her community, commonwealth and country.

Marlene was born in New York City, the oldest child of Harold and Miriam Oberkotter. Though she was raised in Harrington Park, NJ, Marlene spent her adult life living in Pennsylvania. Marlene, known affectionately as Linny, was a renowned philanthropist, artist and a pillar of her adopted community. Today I wish to honor her as such.

As a philanthropist, her influence can been seen across Northeast Pennsylvania, particularly in Bethlehem, the city she had called home since 1965. Upon the passing of her father Harold, a late UPS chief executive, Marlene became one of the wealthiest individuals in the Lehigh Valley. Choosing to eschew large homes or fancy cars, Marlene instead gave generously to support the arts, education and children. She helped to establish a childcare center and Hispanic Youth Center at Northampton County Community College as well as the college's Southside campus, which proudly bears her family name. Her generosity also helped send hundreds of students to colleges and universities that they would otherwise have been unable to afford to attend. Even with her health failing, Marlene worked hard to maintain her involvement with the community up until her passing. Although she kept the total of her generosity a secret, by her own admission she gave away tens of millions of dollars over the course of her life.

As an artist, Marlene was trained in the art of stained glass, which she taught throughout her life. She also maintained a studio at the Banana Factory in Bethlehem, an institution she helped fund. As a pillar of her community, Marlene made sure her philanthropic efforts always had a human touch. She met with needy families and non-profit directors in the living room of her own home, investing herself as much as her money. Even as recent economic difficulties forced her to scale back some of her giving, she still continued to keep track of all the youth she helped send to school.

As Marlene's family and friends mourn her loss, I pray that they will be comforted by the knowledge that this great Nation will never forget the generosity of Marlene ''Linny'' Fowler. May she rest in peace.

ADDITIONAL STATEMENTS

STEM EDUCATION

● Mrs. BOXER. Madam President, I rise today to speak about the great work that afterschool and summer learning programs in California and across the country are doing to engage children and youth in science, technology, engineering, and mathematics, STEM, education.

Afterschool and summer programs are a vital part of our country's education tapestry. They provide engaging, hands-on learning experiences that stimulate student interest, develop crucial skills, and drive home the relevance of STEM to our daily lives. Out-of-school learning opportunities help children develop the academic and life skills, such as problem-solving and determination, which are crucial in STEM fields. Additionally, these programs provide key opportunities for mentors and role models to engage with children.

High-quality afterschool STEM learning programs are having a significant impact on the young people who participate in them. A recent study shows participants in afterschool and summer programs have improved attitudes toward STEM fields and careers, increased STEM capacities and skills, and a higher likelihood of graduating from high school and pursuing a STEM major in college.

One of these exemplary programs is the Woodcraft Rangers Program in Los Angeles, CA. Woodcraft Rangers exposes middle school students to cutting-edge STEM activities, including robotics. This highly engaging program allows students to configure high-tech robotics, enhancing their STEM skills, unlocking their imaginations, and exposing them to real-world problem-solving situations. Afterschool and summer programs are uniquely positioned to deliver valuable enrichment activities like robotics that help children gain valuable creativity, critical thinking, and team-building skills.

In addition to programs that serve children and youth directly, organizations such as the Afterschool Alliance are working to advance policies, research, and partnerships so that all children can access rich STEM education experiences through out-of-school programs.

Private companies are also embarking on efforts, such as Time Warner Cable's Connect a Million Minds, CAMM, initiative, to promote youth interest and performance in STEM fields during out-of-school time. Businesses like Time Warner Cable know that investing in STEM education now helps ensure a robust workforce in the future, and they know that afterschool, summer, and other out-of-school programs are key venues for students to develop the problem-solving, team-building, and creative thinking skills necessary for a strong STEM workforce.

I applaud the afterschool and summer learning programs, advocacy organizations, and community partnerships across the country that are working to advance our students' STEM achievement and our country's future through enriching out-of-school learning. To support the work of these organizations, I hope that the Senate can come together to reauthorize the 21st Century Community Learning Centers Program—the only Federal program dedicated to supporting afterschool and summer learning.●

TRIBUTE TO JIM SYMINGTON

● Mrs. MCCASKILL. Madam President, I ask the Senate to join me today in honoring the work of Jim Symington, a friend and dedicated public servant who is retiring this year. In the summer of 1974 I came to Washington as an intern for Congressman Jim Symington. That experience, and the lessons I learned from this great leader were instrumental in my success as a political candidate and public official.

As a member of a family steeped in public service, and as the son of the great United States Senator Stuart Symington, Jim did not hesitate to take up the mantle of serving his country. Jim started his career serving others when he enlisted in the Marine Corps as a high school graduate. Following his military service, Jim earned his Bachelor's degree from Yale University and his law degree from Columbia Law School.

Jim served for 2 years following law school as the assistant city counselor for St. Louis before going into private practice. In 1958, Jim entered the Foreign Service where he served as assistant to the United States ambassador for the United Kingdom. Upon his return to Washington, DC Jim served our Government in various positions including administrative assistant to Attorney General Robert Kennedy and the Chief of Protocol for the Department of State.

In 1968 Jim was elected to represent St. Louis, Missouri's 2nd Congressional District, where he served four terms. During his time in Congress, Jim served on the House Commerce Committee and the Committee on Science and Technology. He also served as the chair of the Subcommittees on Space Science and Applications; Science, Research & Technology; and International Cooperation. He was an active voice on space exploration during a time when space exploration was a central topic. Upon leaving Congress in 1977, Jim returned to private law practice, and has had a distinguished legal career at Nossaman LLP/O'Connor & Hannan here in Washington, DC.

However Jim Symington has never been an ordinary practicing lawyer. He and his wife Sylvia have been friends, mentors, and highly respected members of a small group of true leaders in our America's Capitol for many years. They are always in high demand as dinner partners or leaders of a civic endeavor. Together, their wit, intelligence, and musical prowess has constantly reminded the most powerful in our Nation that there is always more to learn and it is very dangerous to take yourself too seriously.

It is my honor to call Jim a mentor and friend. Like no other man I know, I also realize that the number of people who count on his friendship would be a record for a town where Harry Truman famously noted that if you wanted a friend you should turn to a canine. I am thankful for his friendship, advice and service to Missouri and this great

country. While these comments mark his retirement from the practice of law, I'm confident that he will continue to be a bright light of intellect, humor, and friendship for many years to come in our Nation's Capital.

I ask that the Senate join me in honoring Jim Symington on this occasion of his retirement from the practice of law.●

ALASKA LEGISLATURE CENTENNIAL

● Ms. MURKOWSKI. Madam President, I rise today to mark a significant event in Alaska's history as we commemorate the 100th anniversary of the convening of the Alaska State Legislature.

Compared to the States that my colleagues represent, Alaska is a relatively young State, so it is remarkable that our legislature has existed for only 100 years. However, creating our State's legislative body was not an easy process. Secretary of State William H. Seward acquired Alaska from Russia for $7,200,000 on March 30, 1867. The First Organic Act of 1884 established the District of Alaska and provided us with a Governor and judicial branch but no legislative body to be the people's voice. It was not until after several petitions by Alaskans of all backgrounds that Congress passed the Second Organic Act giving Alaska territorial status and a legislative body. Our first elections were held November 12, 1912. They produced the first of many civil servants who would have the honor to serve in the Alaska Legislature. We did not yet have a capitol building, so eight senators and 16 representatives convened at the Elk's Lodge in Juneau, AK. That year, the first territorial legislature passed 83 laws—laws that began building our State and uniting us as Alaskans.

While Alaska may have been just a territory and seen by many as a vast wilderness separated from the rest of the country, our territorial legislature led the Nation in passing the first law in the Nation giving women the right to vote. This was 1913. The 19th amendment wouldn't be ratified for another 7 long years. The great Nell Scott was the first woman to serve in the first territorial legislature, way before other daughters of this country would. The territorial legislature also led the nation in the civil rights movement as it passed an antidiscrimination bill providing for full and equal enjoyment of public accommodations for all Alaskans. It is noteworthy that before statehood, Alaska's Legislature acted in response to the passionate advocacy of Roy and Elizabeth Peratrovich long before Congress would on Dr. Martin Luther King and Rosa Parks' advocacy. Before a territorial referendum in 1946 that began the legal quest for statehood, the Alaska Legislature had been advocating admission as early as 1913.

This past January, the 28th Session of the Alaska State Legislature convened, consisting of 20 senators and 40 representatives. Under house speaker Mike Chenault, and senate president Charlie Huggins, they continue to provide representation to an estimated 731,449 residents of Alaska. The Alaska Legislature has worked for the past 100 years to give Alaskans the opportunity to enjoy life, liberty, and the pursuit of happiness, and they will continue to do so for the many years to come. I extend my congratulations and heartfelt appreciation to the senators and representatives as well as all support staff to our legislature on this special anniversary.●

MESSAGE FROM THE HOUSE

At 2:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

The message also announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. SMITH of New Jersey, Co-Chairman.

The message further announced that pursuant to 22 U.S.C. 2761, 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 British-American Interparliamentary Group: Mr. PETRI of Wisconsin, Mr. CRENSHAW of Florida, Mr. LATTA of Ohio, Mr. ADERHOLT of Alabama, and Mr. WHITFIELD of Kentucky.

The message also announced that pursuant to section 3166(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 individual on the part of the House of Representatives to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ms. Heather Wilson of Albuquerque, New Mexico.

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–505. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—March 2013 (corrected)'' (Rev. Rul. 2013–7) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Finance.

EC–506. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Dual-Use Notice'' (Notice 2013–13) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Finance.

EC–507. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Temporary Shelter for Individuals Displaced by Hurricane Sandy'' (Notice 2013–9) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Finance.

EC–508. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2013 Census Counts for Sections 42(h) and 146'' (Notice 2013–15) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Finance.

EC–509. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''25 Year Average Segment Rates and Adjusted 24-Month Average Segment Rates Used for Pension Funding for Plan Years Beginning in 2013'' (Notice 2013–11) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Finance.

EC–510. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Permitted Disparity in Employer-Provided Contributions or Benefits'' (Rev. Rul. 2013–2) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Finance.

EC–511. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Eurex Deutschland'' (Rev. Rul. 2013–5) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Finance.

EC–512. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—March'' (Rev. Rul. 2013–7) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Finance.

EC–513. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update to Notice 2000–45'' (Rev. Proc. 2013–20) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Finance.

EC–514. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of List of Plants, Grown in Commercial Quantities in the United States, Having a Preproductive Period in Excess of Two Years Based on the Nationwide Weighted Average Preproductive Period for Such Plant'' (Notice 2013–18) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on Finance.

EC–515. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revised Exhibit:

Sample Notice to Interested Parties'' (Announcement 2013–15) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Finance.

EC–516. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Port Limits of Green Bay, WI'' (CBP Dec. 13–2) received in the Office of the President of the Senate on December 5, 2012; to the Committee on Finance.

EC–517. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U. S. Agency for International Development (USAID), transmitting, pursuant to law, a report responding to a GAO report entitled ''Agencies Could Benefit from a Shared and More Comprehensive Database on U.S. Efforts''; to the Committee on Foreign Relations.

EC–518. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–010); to the Committee on Foreign Relations.

EC–519. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Azerbaijan; to the Committee on Foreign Relations.

EC–520. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2013 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC–521. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period October 1, 2012 through November 30, 2012; to the Committee on Foreign Relations.

EC–522. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–001); to the Committee on Foreign Relations.

EC–523. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–020); to the Committee on Foreign Relations.

EC–524. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–021); to the Committee on Foreign Relations.

EC–525. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–006); to the Committee on Foreign Relations.

EC–526. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–013); to the Committee on Foreign Relations.

EC–527. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–025); to the Committee on Foreign Relations.

EC–528. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 13–007); to the Committee on Foreign Relations.

EC–529. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013–0014—2013–0031); to the Committee on Foreign Relations.

EC–530. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Generic Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–531. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Drug User Fee Act for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–532. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the Developmental Disabilities Programs for fiscal years 2009–2010; to the Committee on Health, Education, Labor, and Pensions.

EC–533. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Prescription Drug User Fee Act (PDUFA) for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–534. A communication from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting, pursuant to law, a report that includes recommendations for improving federally and privately funded Alzheimer's programs; to the Committee on Health, Education, Labor, and Pensions.

EC–535. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, (2) two reports relative to vacancies in the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC–536. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Reorganization and Delegation of Authority; Technical Amendments'' received in the Office of the President of the Senate on February 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–537. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Control of Communicable Diseases; Foreign—Requirements for Importers of Nonhuman Primates (NHP)'' (RIN0920–AA23) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–538. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Control of Communicable Diseases: Interstate; Scope and Definitions'' (RIN0920–AA22) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–539. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Control of Communicable Diseases: Foreign; Scope and Definitions'' (RIN0920–AA12) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–540. A communication from the Assistant General Counsel for Regulations, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Assistance to States for the Education of Children With Disabilities'' (RIN1820–AB64) received on February 27, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–541. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled ''Report of the Proceedings of the Judicial Conference of the United States''; to the Committee on the Judiciary.

EC–542. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Refugee Resettlement Program for Fiscal Year 2009''; to the Committee on the Judiciary.

EC–543. 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 ''Establishment of the Indiana Uplands Viticultural Area and Modification of the Ohio Valley Viticultural Area'' (RIN1513–AB46) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on the Judiciary.

EC–544. 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 ''Establishment of the Elkton Oregon Viticultural Area'' (RIN1513–AB88) received during adjournment of the Senate in the Office of the President of the Senate on February 20, 2013; to the Committee on the Judiciary.

EC–545. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Exemption of Privacy Act System of Records of the Department of Justice, Bureau of Prisons, Inmate Central Records System (JUSTICE/BOP–005)''' (CPCLO Order No. 001–2013) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on the Judiciary.

EC–546. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes To Implement the First Inventor To File Provisions of the Leahy-Smith America Invents Act'' (RIN0651–AC77) received during adjournment of the Senate

in the Office of the President of the Senate on February 15, 2013; to the Committee on the Judiciary.

EC–547. A communication from the Deputy Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2012; to the Committee on Veterans' Affairs.

EC–548. 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 ''Grants for the Rural Veterans Coordination Pilot (RVCP)'' (RIN2900–AO35) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Veterans' Affairs.

EC–549. 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 ''VA Homeless Providers Grant and Per Diem Program'' (RIN2900–AN81) received in the Office of the President of the Senate on February 25, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 64. An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Shelly Deckert Dick, of Louisiana, to be United States District Judge for the Middle District of Louisiana.

William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California.

Nelson Stephen Roman, of New York, to be United States District Judge for the Southern District of New York.

David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2018.

(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. HATCH (for himself, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GRASSLEY, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. THUNE, Mr. TOOMEY, and Mr. WICKER):

S. 399. A bill to protect American job creation by striking the Federal mandate on employers to offer health insurance; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. MERKLEY):

S. 400. A bill to amend the Federal Lands Recreation Enhancement Act to include the Corps of Engineers as a Federal land management agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. COONS, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. BROWN, Mr. REED, Mr. KING, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. COWAN, Mr. CARDIN, and Ms. WARREN):

S. 401. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 402. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

By Mr. CASEY (for himself and Mr. KIRK):

S. 403. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 404. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. CORNYN, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 405. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. HARKIN, Mr. ROCKEFELLER, and Mr. DURBIN):

S. 406. A bill to amend the Higher Education Act of 1965 to provide for new program review requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. LANDRIEU, and Ms. KLOBUCHAR):

S. 407. A bill to provide funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. REED, and Mr. WHITEHOUSE):

S. 408. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

By Mr. BURR (for himself and Mrs. BOXER):

S. 409. A bill to add Vietnam Veterans Day as a patriotic and national observance; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 410. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. WYDEN, and Mr. MORAN):

S. 411. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. CHAMBLISS, Mr. MURPHY, Mr. VITTER, Mr. MENENDEZ, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. LAUTENBERG, Ms. WARREN, Ms. HIRONO, Mr. ISAKSON, Mr. NELSON, Mr. BLUMENTHAL, and Mr. COWAN):

S. 412. A bill to authorize certain major medical facility leases for the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. PORTMAN, and Ms. KLOBUCHAR):

S. 413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

By Mr. NELSON:

S. 414. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Environment and Public Works.

By Ms. LANDRIEU (for herself, Mr. COCHRAN, Mrs. GILLIBRAND, and Mr. PRYOR):

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; to the Committee on Small Business and Entrepreneurship.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 416. A bill to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; to the Committee on Indian Affairs.

By Mr. COBURN (for himself and Mrs. SHAHEEN):

S. 417. A bill to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER (for himself and Mr. BLUMENTHAL):

S. 418. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 419. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

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

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; to the Committee on Finance.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. CORKER, and Mr. PAUL):

S. 421. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. MORAN, Mr. BROWN, Mr. GRASSLEY, Mr. HARKIN, Mr. SCHUMER, Mr. TESTER, and Mr. WHITEHOUSE):

S. 422. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ:

S. 423. A bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. WICKER, Mr. BLUMENTHAL, Mr. BLUNT, Ms. COLLINS, Mr. PORTMAN, and Mr. WHITEHOUSE):

S. 424. A bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. GRASSLEY, Ms. CANTWELL, and Mr. MENENDEZ):

S. 425. A bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives; to the Committee on Finance.

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

S. 426. A bill to amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. PRYOR, Mr. MORAN, Mr. COATS, Mr. ROBERTS, Mr. THUNE, and Mr. INHOFE):

S. 427. A bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BEGICH:

S. 428. A bill to expedite the development of Arctic deepwater ports and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. BLUNT, Mr. MANCHIN, and Mrs. MCCASKILL):

S. 429. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Commerce, Science, and Transportation.

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

S. 430. A bill to amend title 38, United States Code, to enhance treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN:

S. 431. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 432. A bill to extend certain trade preferences to certain least-developed countries in Asia and the South Pacific, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. KIRK):

S. 433. A bill to establish and operate a National Center for Campus Public Safety; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TOOMEY (for himself and Mr. CASEY):

S. Res. 63. A resolution encouraging the Navy to commission the USS Somerset (LPD–25) in Philadelphia, Pennsylvania; to the Committee on Armed Services.

By Mr. SCHUMER:

S. Res. 64. An original resolution authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; from the Committee on Rules and Administration; placed on the calendar.

By Mr. GRAHAM (for himself, Mr. MENENDEZ, Ms. AYOTTE, Mr. SCHUMER, Mr. CORNYN, Mrs. BOXER, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, Mr. CRAPO, Mr. CARDIN, Ms. COLLINS, Mr. BEGICH, Mr. BLUNT, Mr. BROWN, Mr. WYDEN, Mr. PORTMAN, Mr. MANCHIN, and Mr. LAUTENBERG):

S. Res. 65. A resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation; to the Committee on Foreign Relations.

By Mr. BAUCUS (for himself, Mr. TESTER, Mrs. BOXER, Mrs. MURRAY, Mr. REID, Mr. DURBIN, and Mr. ISAKSON):

S. Res. 66. A resolution designating the first week of April 2013 as ''National Asbestos Awareness Week''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 16, a bill to provide for a sequester replacement.

S. 19

At the request of Mr. CORNYN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 113

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 119

At the request of Mrs. BOXER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 210

At the request of Mr. HELLER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 226

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 240

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for nonregular service.

S. 254

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 254, a bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families.

S. 294

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 315

At the request of Ms. KLOBUCHAR, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 320

At the request of Mr. JOHANNS, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 320, a bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of agency guidance documents.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 345

At the request of Mrs. SHAHEEN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 370

At the request of Mr. COCHRAN, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Mississippi (Mr. WICKER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN (for himself and Mr. MERKLEY):

S. 400. A bill to amend the Federal Lands Recreation Enhancement Act to include the Corps of Engineers as a Federal land management agency, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOOZMAN. Mr. President, today Senator MERKLEY and I are introducing the Corps of Engineers Recreation Improvement Act. This legislation enables the U.S. Army Corps of Engineers to reinvest recreation fees to improve facilities where the funds are collected. Our bill creates an incentive for the Corps to maintain good facilities and provide quality recreational opportunities on our public lands. The Corps currently collects recreation fees at many sites. This legislation would not change the way the Corps determines use fee rates. Existing law provides that users of specialized sites, facilities, equipment, or services provided by Federal expense shall be assessed fair and equitable fees. Section 210 of the Flood Control Act of 1968 also provides that no entrance fees shall be charged by the Corps. Our bill is not intended to and does not make any changes in that regard.

In Arkansas, recreation on our public Corps-operated lands is an important driver of economic activity, job opportunities, and tourism. In fiscal year 2012, over $4.2 million in revenue was collected at Corps recreation sites in Arkansas. When citizens spend money at Corps recreation sites in Arkansas, Oregon, or other States, many of them expect that their money will be invested on-site to improve facilities and create recreation opportunities. Our bill would ensure those expectations are met.

The Corps of Engineers Recreation Improvement Act would also enable the Corps to participate in the interagency America the Beautiful Pass program to allow customers an alternative payment option at sites where entrance or amenity fees are charged. This includes the distribution and sale of the passes and the retention of a portion of the revenue for the sales of those passes. It would also allow the Corps to distribute Military Passes. This will make it easier for our men and women in uniform and their families to acquire passes. The Corps currently honors these passes but the Corps is not allowed to distribute the passes. Providing the ability for the Corps to offer passes to customers is a commonsense solution that will encourage continued use of Federal recreation sites.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 402. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

Mr. WYDEN. Mr. President, today I rise to introduce a bill that will address a cumbersome and time consuming process in place under existing law within the Bureau of Indian Affairs. This piece of legislation will streamline the land acquisition process for the Confederated Tribes of Siletz Indians. The current process for taking land into trust is simply not working, and I believe there are changes that need to be made in the existing process. I am pleased to be joined by Senator MERKLEY in this effort. I want to note that I introduced similar legislation last Congress that was stalled at the Committee level due to certain language in that bill—language that, at the time, we thought was needed but found later was unnecessary and was preventing the bill from moving forward. In the bill I am introducing today, I took that language out to resolve the needs of the various stakeholders and to ensure the bill has a chance to pass the Committee and be signed into law.

The original Siletz Coastal Treaty Reservation, established by the Executive Order on November 9, 1855, was diminished and then eliminated by the Federal Government's allotment and termination policies. Tribal members and the tribal government have worked to rebuild the Siletz community since the Western Oregon Termination Act of August 1954 stripped the Siletz people of Federal tribal recognition. Since then the tribe has been struggling to rebuild its land base. This legislation would work to facilitate the tribe's land into trust process within the original Siletz coast reservation to overcome chronic agency delays in processing applications. Instead of having two cumbersome processes to bring each piece of former reservation land back into the reservation after purchase, one to bring the land into trust and another to make it reservation land, my legislation would allow the tribe to combine the process.

In this case, because the original reservation was disassembled, and the tribe terminated and provided a very small land base upon restoration, virtually every tract of land the tribe seeks to place into trust today is considered by the Bureau of Indian Affairs,

BIA, pursuant to off-reservation fee-to-trust procedures. Off-reservation requests would mean that, according the regulations, the ''. . . secretary gives greater scrutiny to the tribe's justification of anticipated benefits. . .''

By applying the on-reservation fee-to-trust criteria for lands within the Siletz Tribe's original reservation, this legislation allows the Tribe to take land into trust that will ultimately provide for vital tribal programs such as housing, government administration, and jobs—for both tribal and county residents. In addition, the bill emphasizes the importance and the intent of the Indian Reorganization Act of 1934—which allows the Secretary of Interior, in his or her discretion, to take land into trust for the benefit of an Indian tribe or of individual Indians. Essentially, reversing the loss of tribal lands and restoring some of the tribe's original land base by allowing the Tribe to take land into trust under the same provisions as other Indian tribes within their reservations.

This bill underscores the importance of economic stability and self-determination for the Confederated Tribes of Siletz Indians and its members. Due to failed Termination Era policies, Oregon Tribal communities suffer some of the greatest hurdles, whether it is health care, education, or crime on reservations. This bill would alleviate much of the cost and much needed resources associated with the bureaucratic hoops the tribe has had to jump through for years—which mean a significant savings of time and resources.

The Siletz Tribe has approached all the involved counties and has developed great communication and working relationships with them. This legislation establishes and confirms a positive and beneficial partnership between the Federal Government, Siletz Tribe and local counties Lincoln, Lane, Tillamook, Yamhill, Benton, and Douglas.

That is why I am introducing this legislation. The process remains cumbersome and costly and I recognize the need for more action. It is always great to see tribes and local counties work together to come up with proactive solutions for their communities to tackle challenging economic conditions.

I want to express my thanks to all the citizens and community and tribal leaders who have worked to build their communities. They represent the pioneering spirit and vision that defines my state.

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. 402

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

SECTION 1. TREATMENT OF CERTAIN PROPERTY OF THE SILETZ TRIBE OF THE STATE OF OREGON.

Section 7 of the Siletz Tribe Indian Restoration Act (25 U.S.C. 711e) is amended by adding at the end the following:

''(f) TREATMENT OF CERTAIN PROPERTY.—

''(1) IN GENERAL.—

''(A) TITLE.—The Secretary may accept title to any additional number of acres of real property located within the boundaries of the original 1855 Siletz Coast Reservation established by Executive Order dated November 9, 1855, comprised of land within the political boundaries of Benton, Douglas, Lane, Lincoln, Tillamook, and Yamhill Counties in the State of Oregon, if that real property is conveyed or otherwise transferred to the United States by or on behalf of the tribe.

''(B) TRUST.—Land to which title is accepted by the Secretary under this paragraph shall be held in trust by the United States for the benefit of the tribe.

''(2) TREATMENT AS PART OF RESERVATION.—All real property that is taken into trust under paragraph (1) shall—

''(A) be considered and evaluated as an on-reservation acquisition under part 151.10 of title 25, Code of Federal Regulations (or successor regulations); and

''(B) become part of the reservation of the tribe.

''(3) PROHIBITION ON GAMING.—Any real property taken into trust under paragraph (1) shall not be eligible, or used, for any gaming activity carried out under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).''.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. CORNYN, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 405. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Sunshine in the Courtroom Act, a bipartisan bill which permits judges at all federal court levels to open their courtrooms to television cameras and radio broadcasts.

Openness in our courts improves the public's understanding of what happens inside our courts. Our judicial system remains a mystery to too many people across the country. That doesn't need to continue. Letting the sun shine in on federal courtrooms will give Americans an opportunity to better understand the judicial process. Courts are the bedrock of the American justice system. I believe that granting the public greater access to an already public proceeding will inspire greater faith in and appreciation for our judges who pledge equal and impartial justice for all.

For decades, States such as my home state of Iowa have allowed cameras in their courtrooms with great results. As a matter of fact, only the District of Columbia prohibits trial and appellate court coverage entirely. Nineteen states allow news coverage in most courts; sixteen allow coverage with slight restrictions; and the remaining fifteen allow coverage with stricter rules.

The bill I am introducing today, along with Senator SCHUMER and five other cosponsors from both sides of the aisle, including Judiciary Chairman LEAHY, will greatly improve public access to federal courts by letting federal judges open their courtrooms to television cameras and other forms of electronic media.

The Sunshine in the Courtroom Act is full of provisions that ensure that the introduction of cameras and other broadcasting devices into courtrooms goes as smoothly as it has at the state level. First, the presence of the cameras in Federal trial and appellate courts is at the sole discretion of the judges, it is not mandatory. The bill also provides a mechanism for Congress to study the effects of this legislation on our judiciary before making this change permanent through a three-year sunset provision. The bill protects the privacy and safety of non-party witnesses by giving them the right to have their faces and voices obscured. The bill prohibits the televising of jurors. Finally, it includes a provision to protect the due process rights of each party.

We need to open the doors and let the light shine in on the Federal Judiciary. This bill improves public access to and therefore understanding of our Federal courts. It has safety provisions to ensure that the cameras won't interfere with the proceedings or with the safety or due process of anyone involved in the cases. Our states have allowed news coverage of their courtrooms for decades. It is time we join them.

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. 405

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 ''Sunshine in the Courtroom Act of 2013''.

SEC. 2. FEDERAL APPELLATE AND DISTRICT COURTS.

(a) DEFINITIONS.—In this section:

(1) PRESIDING JUDGE.—The term ''presiding judge'' means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term ''appellate court of the United States'' means any United States circuit court of appeals and the Supreme Court of the United States.

(b) AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.—

(1) AUTHORITY OF APPELLATE COURTS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the presiding judge of an

appellate court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(B) EXCEPTION.—The presiding judge shall not permit any action under subparagraph (A), if—

(i) in the case of a proceeding involving only the presiding judge, that judge determines the action would constitute a violation of the due process rights of any party; or

(ii) in the case of a proceeding involving the participation of more than 1 judge, a majority of the judges participating determine that the action would constitute a violation of the due process rights of any party.

(2) AUTHORITY OF DISTRICT COURTS.—

(A) IN GENERAL.—

(i) AUTHORITY.—Notwithstanding any other provision of law, except as provided under clause (iii), the presiding judge of a district court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(ii) OBSCURING OF WITNESSES.—Except as provided under clause (iii)—

(I) upon the request of any witness (other than a party) in a trial proceeding, the court shall order the face and voice of the witness to be disguised or otherwise obscured in such manner as to render the witness unrecognizable to the broadcast audience of the trial proceeding; and

(II) the presiding judge in a trial proceeding shall inform each witness who is not a party that the witness has the right to request the image and voice of that witness to be obscured during the witness' testimony.

(iii) EXCEPTION.—The presiding judge shall not permit any action under this subparagraph—

(I) if that judge determines the action would constitute a violation of the due process rights of any party; and

(II) until the Judicial Conference of the United States promulgates mandatory guidelines under paragraph (5).

(B) NO MEDIA COVERAGE OF JURORS.—The presiding judge shall not permit the photographing, electronic recording, broadcasting, or televising of any juror in a trial proceeding, or of the jury selection process.

(C) DISCRETION OF THE JUDGE.—The presiding judge shall have the discretion to obscure the face and voice of an individual, if good cause is shown that the photographing, electronic recording, broadcasting, or televising of the individual would threaten—

(i) the safety of the individual;

(ii) the security of the court;

(iii) the integrity of future or ongoing law enforcement operations; or

(iv) the interest of justice.

(D) SUNSET OF DISTRICT COURT AUTHORITY.—The authority under this paragraph shall terminate 3 years after the date of the enactment of this Act.

(3) INTERLOCUTORY APPEALS BARRED.—The decision of the presiding judge under this subsection of whether or not to permit, deny, or terminate the photographing, electronic recording, broadcasting, or televising of a court proceeding may not be challenged through an interlocutory appeal.

(4) ADVISORY GUIDELINES.—The Judicial Conference of the United States may promulgate advisory guidelines to which a presiding judge, at the discretion of that judge, may refer in making decisions with respect to the management and administration of photographing, recording, broadcasting, or televising described under paragraphs (1) and (2).

(5) MANDATORY GUIDELINES.—Not later than 6 months after the date of enactment of this Act, the Judicial Conference of the United States shall promulgate mandatory guidelines which a presiding judge is required to follow for obscuring of certain vulnerable witnesses, including crime victims, minor victims, families of victims, cooperating witnesses, undercover law enforcement officers or agents, witnesses subject to section 3521 of title 18, United States Code, relating to witness relocation and protection, or minors under the age of 18 years. The guidelines shall include procedures for determining, at the earliest practicable time in any investigation or case, which witnesses should be considered vulnerable under this section.

(6) PROCEDURES.—In the interests of justice and fairness, the presiding judge of the court in which media use is desired has discretion to promulgate rules and disciplinary measures for the courtroom use of any form of media or media equipment and the acquisition or distribution of any of the images or sounds obtained in the courtroom. The presiding judge shall also have discretion to require written acknowledgment of the rules by anyone individually or on behalf of any entity before being allowed to acquire any images or sounds from the courtroom.

(7) NO BROADCAST OF CONFERENCES BETWEEN ATTORNEYS AND CLIENTS.—There shall be no audio pickup or broadcast of conferences which occur in a court proceeding between attorneys and their clients, between co-counsel of a client, between adverse counsel, or between counsel and the presiding judge, if the conferences are not part of the official record of the proceedings.

(8) EXPENSES.—A court may require that any accommodations to effectuate this Act be made without public expense.

(9) INHERENT AUTHORITY.—Nothing in this Act shall limit the inherent authority of a court to protect witnesses or clear the courtroom to preserve the decorum and integrity of the legal process or protect the safety of an individual.

By Mr. DURBIN (for himself, Mr. REED, and Mr. WHITEHOUSE):

S. 408. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

Mr. DURBIN. Mr. President, last week TIME Magazine published an extensive piece that took a close look at the hidden costs within our health care system and how the Medicare program, which is widely disparaged these days, is effective in controlling costs.

We as a nation will spend $2.8 trillion this year on health care. That is on average 27 percent more than what is spent per capita in other developed countries.

According to the TIME article, many hospitals routinely overcharge patients and reap profits at the expense of American families. As one former hospital billing officer put it, ''hospitals all know the bills are fiction.''

Too many families are put on the path to financial ruin because of hospital bills.

Another thing the TIME piece highlighted was that Medicare is much more effective at controlling costs than private sector providers, whether non-profit or for-profit.

Because Medicare sets the prices it is willing to pay providers in advance, patients with Medicare coverage are charged substantially less than patients with private health insurance who have received the same services.

In fact, projected Medicare spending over the 2011–2020 period is more than $500 billion lower since late 2010 than CBO projected.

But we can do more. Every day, 10,000 Americans turn 65 and become eligible for Medicare. In 11 years, Medicare's hospital insurance fund will start paying out more in benefits than it takes in.

Meaningful reforms that lead to better health care at lower costs are good for America's seniors—and for our entire health care system. And that should start with changes to Part D.

Today, I am introducing with Senators WHITEHOUSE and JACK REED the Medicare Prescription Drug Savings and Choice Act.

Our bill would save taxpayer dollars by giving Medicare beneficiaries the choice to participate in a Medicare Part D prescription drug plan run by Medicare, not private insurance companies.

Seniors want the ability to choose a Medicare-administered drug plan, so let's give them this option.

In 2010, Americans spent approximately $260 billion on prescription drugs. That figure is projected to double over the next decade. However, patients in the United States spend 50 percent more than other developed countries for the same drugs.

The average monthly price of cancer drugs has doubled over the past 10 years, from about $5,000 to more than $10,000.

Of the 12 new cancer drugs approved by the FDA last year, 11 were priced above $100,000 a year.

About 77 percent of all cancers are diagnosed in persons 55 years of age and older.

As these people enter the program, Medicare should be allowed to control how much it pays for these prescription drugs.

While the Affordable Care Act does a lot to control costs in the private insurance market, current law handcuffs Medicare beneficiaries from obtaining competitive prices for their prescription drugs.

For all other Medicare programs, beneficiaries can choose whether to receive benefits directly through Medicare or through a private insurance plan.

The overwhelming majority of seniors choose the Medicare-run option for their hospital and physician coverage.

Our bill requires the Secretary of HHS to develop at least one nationwide prescription drug plan.

Why? Because we should take advantage of the Federal Government's purchasing power.

The Veterans Administration uses this type of negotiating authority and has cut drug prices by as much as 50 percent for our Nation's veterans.

Savings from negotiating on behalf of seniors in Medicare could be used to further reduce costs in the program and ensure the program is there for future generations.

America's health care system is burdening families and hindering our ability to invest in the future.

The Affordable Care Act takes important steps to begin bringing down costs in the private market and in Medicare, but there is more we can do. This proposal is a simple and common sense option that should be available for seniors.

Allowing Medicare to manage a prescription drug plan and negotiate prices, taxpayers will save money and seniors will get high quality drug coverage.

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

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

S. 408

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 ''Medicare Prescription Drug Savings and Choice Act of 2013''.

SEC. 2. ESTABLISHMENT OF MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION.

(a) IN GENERAL.—Subpart 2 of part D of title XVIII of the Social Security Act is amended by inserting after section 1860D–11 (42 U.S.C. 1395w–111) the following new section:

''MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION

''SEC. 1860D–11A. (a) IN GENERAL.—Notwithstanding any other provision of this part, for each year (beginning with 2014), in addition to any plans offered under section 1860D–11, the Secretary shall offer one or more Medicare operated prescription drug plans (as defined in subsection (c)) with a service area that consists of the entire United States and shall enter into negotiations in accordance with subsection (b) with pharmaceutical manufacturers to reduce the purchase cost of covered part D drugs for eligible part D individuals who enroll in such a plan.

''(b) NEGOTIATIONS.—Notwithstanding section 1860D–11(i), for purposes of offering a Medicare operated prescription drug plan under this section, the Secretary shall negotiate with pharmaceutical manufacturers with respect to the purchase price of covered part D drugs in a Medicare operated prescription drug plan and shall encourage the use of more affordable therapeutic equivalents to the extent such practices do not override medical necessity as determined by the prescribing physician. To the extent practicable and consistent with the previous sentence, the Secretary shall implement strategies similar to those used by other Federal purchasers of prescription drugs, and other strategies, including the use of a formulary and formulary incentives in subsection (e), to reduce the purchase cost of covered part D drugs.

''(c) MEDICARE OPERATED PRESCRIPTION DRUG PLAN DEFINED.—For purposes of this part, the term 'Medicare operated prescription drug plan' means a prescription drug plan that offers qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A). Such a plan may offer supplemental prescription drug coverage in the same manner as other qualified prescription drug coverage offered by other prescription drug plans.

''(d) MONTHLY BENEFICIARY PREMIUM.—

''(1) QUALIFIED PRESCRIPTION DRUG COVERAGE.—The monthly beneficiary premium for qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A) to be charged under a Medicare operated prescription drug plan shall be uniform nationally. Such premium for months in 2014 and each succeeding year shall be based on the average monthly per capita actuarial cost of offering the Medicare operated prescription drug plan for the year involved, including administrative expenses.

''(2) SUPPLEMENTAL PRESCRIPTION DRUG COVERAGE.—Insofar as a Medicare operated prescription drug plan offers supplemental prescription drug coverage, the Secretary may adjust the amount of the premium charged under paragraph (1).

''(e) USE OF A FORMULARY AND FORMULARY INCENTIVES.—

''(1) IN GENERAL.—With respect to the operation of a Medicare operated prescription drug plan, the Secretary shall establish and apply a formulary (and may include formulary incentives described in paragraph (2)(C)(ii)) in accordance with this subsection in order to—

''(A) increase patient safety;

''(B) increase appropriate use and reduce inappropriate use of drugs; and

''(C) reward value.

''(2) DEVELOPMENT OF INITIAL FORMULARY.—

''(A) IN GENERAL.—In selecting covered part D drugs for inclusion in a formulary, the Secretary shall consider clinical benefit and price.

''(B) ROLE OF AHRQ.—The Director of the Agency for Healthcare Research and Quality shall be responsible for assessing the clinical benefit of covered part D drugs and making recommendations to the Secretary regarding which drugs should be included in the formulary. In conducting such assessments and making such recommendations, the Director shall—

''(i) consider safety concerns including those identified by the Federal Food and Drug Administration;

''(ii) use available data and evaluations, with priority given to randomized controlled trials, to examine clinical effectiveness, comparative effectiveness, safety, and enhanced compliance with a drug regimen;

''(iii) use the same classes of drugs developed by the United States Pharmacopeia for this part;

''(iv) consider evaluations made by—

''(I) the Director under section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003;

''(II) other Federal entities, such as the Secretary of Veterans Affairs; and

''(III) other private and public entities, such as the Drug Effectiveness Review Project and State plans under title XIX; and

''(v) recommend to the Secretary—

''(I) those drugs in a class that provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that should be included in the formulary;

''(II) those drugs in a class that provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that should be excluded from the formulary; and

''(III) drugs in a class with same or similar clinical benefit for which it would be appropriate for the Secretary to competitively bid (or negotiate) for placement on the formulary.

''(C) CONSIDERATION OF AHRQ RECOMMENDATIONS.—

''(i) IN GENERAL.—The Secretary, after taking into consideration the recommendations under subparagraph (B)(v), shall establish a formulary, and formulary incentives, to encourage use of covered part D drugs that—

''(I) have a lower cost and provide a greater clinical benefit than other drugs;

''(II) have a lower cost than other drugs with the same or similar clinical benefit; and

''(III) drugs that have the same cost but provide greater clinical benefit than other drugs.

''(ii) FORMULARY INCENTIVES.—The formulary incentives under clause (i) may be in the form of one or more of the following:

''(I) Tiered copayments.

''(II) Reference pricing.

''(III) Prior authorization.

''(IV) Step therapy.

''(V) Medication therapy management.

''(VI) Generic drug substitution.

''(iii) FLEXIBILITY.—In applying such formulary incentives the Secretary may decide not to impose any cost-sharing for a covered part D drug for which—

''(I) the elimination of cost sharing would be expected to increase compliance with a drug regimen; and

''(II) compliance would be expected to produce savings under part A or B or both.

''(3) LIMITATIONS ON FORMULARY.—In any formulary established under this subsection, the formulary may not be changed during a year, except—

''(A) to add a generic version of a covered part D drug that entered the market;

''(B) to remove such a drug for which a safety problem is found; and

''(C) to add a drug that the Secretary identifies as a drug which treats a condition for which there has not previously been a treatment option or for which a clear and significant benefit has been demonstrated over other covered part D drugs.

''(4) ADDING DRUGS TO THE INITIAL FORMULARY.—

''(A) USE OF ADVISORY COMMITTEE.—The Secretary shall establish and appoint an advisory committee (in this paragraph referred to as the 'advisory committee')—

''(i) to review petitions from drug manufacturers, health care provider organizations, patient groups, and other entities for inclusion of a drug in, or other changes to, such formulary; and

''(ii) to recommend any changes to the formulary established under this subsection.

''(B) COMPOSITION.—The advisory committee shall be composed of 9 members and shall include representatives of physicians, pharmacists, and consumers and others with expertise in evaluating prescription drugs. The Secretary shall select members based on their knowledge of pharmaceuticals and the Medicare population. Members shall be deemed to be special Government employees for purposes of applying the conflict of interest provisions under section 208 of title 18, United States Code, and no waiver of such provisions for such a member shall be permitted.

''(C) CONSULTATION.—The advisory committee shall consult, as necessary, with physicians who are specialists in treating the disease for which a drug is being considered.

''(D) REQUEST FOR STUDIES.—The advisory committee may request the Agency for Healthcare Research and Quality or an academic or research institution to study and make a report on a petition described in subparagraph (A)(i) in order to assess—

''(i) clinical effectiveness;

''(ii) comparative effectiveness;

''(iii) safety; and

''(iv) enhanced compliance with a drug regimen.

''(E) RECOMMENDATIONS.—The advisory committee shall make recommendations to the Secretary regarding—

''(i) whether a covered part D drug is found to provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that is currently included in the formulary and should be included in the formulary;

''(ii) whether a covered part D drug is found to provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that is currently included in the formulary and should not be included in the formulary; and

''(iii) whether a covered part D drug has the same or similar clinical benefit to a drug in the same class that is currently included in the formulary and whether the drug should be included in the formulary.

''(F) LIMITATIONS ON REVIEW OF MANUFACTURER PETITIONS.—The advisory committee shall not review a petition of a drug manufacturer under subparagraph (A)(i) with respect to a covered part D drug unless the petition is accompanied by the following:

''(i) Raw data from clinical trials on the safety and effectiveness of the drug.

''(ii) Any data from clinical trials conducted using active controls on the drug or drugs that are the current standard of care.

''(iii) Any available data on comparative effectiveness of the drug.

''(iv) Any other information the Secretary requires for the advisory committee to complete its review.

''(G) RESPONSE TO RECOMMENDATIONS.—The Secretary shall review the recommendations of the advisory committee and if the Secretary accepts such recommendations the Secretary shall modify the formulary established under this subsection accordingly. Nothing in this section shall preclude the Secretary from adding to the formulary a drug for which the Director of the Agency for Healthcare Research and Quality or the advisory committee has not made a recommendation.

''(H) NOTICE OF CHANGES.—The Secretary shall provide timely notice to beneficiaries and health professionals about changes to the formulary or formulary incentives.

''(f) INFORMING BENEFICIARIES.—The Secretary shall take steps to inform beneficiaries about the availability of a Medicare operated drug plan or plans including providing information in the annual handbook distributed to all beneficiaries and adding information to the official public Medicare website related to prescription drug coverage available through this part.

''(g) APPLICATION OF ALL OTHER REQUIREMENTS FOR PRESCRIPTION DRUG PLANS.—Except as specifically provided in this section, any Medicare operated drug plan shall meet the same requirements as apply to any other prescription drug plan, including the requirements of section 1860D–4(b)(1) relating to assuring pharmacy access.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1860D–3(a) of the Social Security Act (42 U.S.C. 1395w–103(a)) is amended by adding at the end the following new paragraph:

''(4) AVAILABILITY OF THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—A Medicare operated prescription drug plan (as defined in section 1860D–11A(c)) shall be offered nationally in accordance with section 1860D–11A.''.

(2)(A) Section 1860D–3 of the Social Security Act (42 U.S.C. 1395w–103) is amended by adding at the end the following new subsection:

''(c) PROVISIONS ONLY APPLICABLE IN 2006 THROUGH 2013.—The provisions of this section shall only apply with respect to 2006 through 2013.''.

(B) Section 1860D–11(g) of such Act (42 U.S.C. 1395w–111(g)) is amended by adding at the end the following new paragraph:

''(8) NO AUTHORITY FOR FALLBACK PLANS AFTER 2013.—A fallback prescription drug plan shall not be available after December 31, 2013.''.

(3) Section 1860D–13(c)(3) of the Social Security Act (42 U.S.C. 1395w–113(c)(3)) is amended—

(A) in the heading, by inserting ''AND MEDICARE OPERATED PRESCRIPTION DRUG PLANS'' after ''FALLBACK PLANS''; and

(B) by inserting ''or a Medicare operated prescription drug plan'' after ''a fallback prescription drug plan''.

(4) Section 1860D–16(b)(1) of the Social Security Act (42 U.S.C. 1395w–116(b)(1)) is amended—

(A) in subparagraph (C), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(E) payments for expenses incurred with respect to the operation of Medicare operated prescription drug plans under section 1860D–11A.''.

(5) Section 1860D–41(a) of the Social Security Act (42 U.S.C. 1395w–151(a)) is amended by adding at the end the following new paragraph:

''(19) MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—The term 'Medicare operated prescription drug plan' has the meaning given such term in section 1860D–11A(c).''.

SEC. 3. IMPROVED APPEALS PROCESS UNDER THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.

Section 1860D–4(h) of the Social Security Act (42 U.S.C. 1305w–104(h)) is amended by adding at the end the following new paragraph:

''(4) APPEALS PROCESS FOR MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—

''(A) IN GENERAL.—The Secretary shall develop a well-defined process for appeals for denials of benefits under this part under the Medicare operated prescription drug plan. Such process shall be efficient, impose minimal administrative burdens, and ensure the timely procurement of non-formulary drugs or exemption from formulary incentives when medically necessary. Medical necessity shall be based on professional medical judgment, the medical condition of the beneficiary, and other medical evidence. Such appeals process shall include—

''(i) an initial review and determination made by the Secretary; and

''(ii) for appeals denied during the initial review and determination, the option of an external review and determination by an independent entity selected by the Secretary.

''(B) CONSULTATION IN DEVELOPMENT OF PROCESS.—In developing the appeals process under subparagraph (A), the Secretary shall consult with consumer and patient groups, as well as other key stakeholders to ensure the goals described in subparagraph (A) are achieved.''.

ALLIANCE FOR A JUST SOCIETY,
February 28, 2013.

Reduce Pharmaceutical Prices—Do Not Cut Benefits

DEAR PRESIDENT OBAMA AND SENATOR/REPRESENTATIVE: We have noted with great concern that federal budget discussions have included the possibility of cuts to Medicare and Medicaid. We wish to be clear: We strongly oppose such an approach and believe it to be both unnecessary and a no-growth policy for an economy that remains stagnant.

Medicare and Medicaid not only provide critical protections against the economic deprivation caused by illness, especially for older Americans; they also create jobs and boost an economy that is slumbering. Cutting these programs leads this country in the wrong direction.

We cannot continue to unravel these critical programs for working families, the elderly, and the poor. If the Congress is unable to move forward without some compromise that reduces our national commitment to quality Medicare and Medicaid programs, there is a source for reductions that will not harm beneficiaries: the cost of prescription drugs.

The U.S. pays more for prescriptions than any nation in the world. Medicare and Medicaid beneficiaries pay more for medicines than do our veterans and the clients of the National Indian Health Service. Why do these differences in cost persist? They do so because other countries, the VA, and the IHS negotiate the prices for prescriptions, while Medicare and Medicaid programs do not.

According to the Center for Economic and Policy Research, savings to the federal government over the next decade would be as high as $541.3 billion. The saving to the states would be as high as $72.7 billion, and beneficiaries would save $112.4 billion. These amounts are far in excess of the demand for expenditure reductions being suggested by the most strident deficit reduction advocates.

We are more than 275 national and state organizations, and we are opposed to cutting health care benefits for the elderly and the poor. However, saving money by negotiating drug prices would be beneficial to the entire health care system, in addition to saving money for the federal government and the states. We urge you to pursue this policy as a major part of efforts to reduce health care costs.

Sincerely,

NATIONAL

9to5, AFL-CIO, AFSCME (American Federation of State, County and Municipal Employees), Alliance for a Just Society, Alliance for Retired Americans, Association of Asian Pacific Community Health Organizations, Campaign for America's Future, Campaign for Community Change, Center for Popular Democracy, Coalition on Human Needs, Community Action Partnership, Community Organizations in Action, Grassroots Policy Project, HCAN (Health Care for America Now!), Institute for Policy Studies, Break the Chain Campaign, Jobs With Justice, Leadership Center for Common Good, National Domestic Workers Alliance, National Education Association.

National Legislative Association on Prescription Drug Prices—20 signers (see attached letter): Rep. Sharon Engle Treat (ME), Rep. Nickie Antonia (OH), Rep. Sheryl Briggs (ME), Sen. Capri Cafaro (OH), Rep. Michael Foley (OH), Sen. Dede Feldman (NM), Assemblyperson Richard N. Gottfried (NY), Sen. Jack Hatch (IO), Sen. Karen Keiser (WA), Sen. Sue Malek (MT), Sen. Kevin Mullin (VT), Rep. Don Perdue (WV), Rep. Elizabeth B. Ritter (CT), Rep. Cindy Rosenwald (NH), Rep. Linda Sanborn (ME), Rep. Shay Shual-Berke (MD), Sen. Michael J. Skindell (OH), Rep. Peter Stuckey (ME), Rep. Roy Takumi (HI), Rep. Joan Welsh (ME).

National Health Care for the Homeless Council, National Health Law Program, National Korean American Service & Education Consortium, National People's Action, National Women's Health Network, New Bottom Line, PICO National Network,

Progressive Democrats of America, Racial and Ethnic Health Disparities Coalition, Raising Women's Voices for the Health Care We Need, Rights to the City, Service Employees International Union, Social Security Works, UAW (United Auto Workers), Universal Health Care Action Network, USAction, Working America, AFL-CIO, Working Families Party.

ALABAMA

Federation Of Child Care Centers of Alabama.

ARKANSAS

Arkansas Community Organizations.

CALIFORNIA

9to5 California, Alliance of Californians for Community Empowerment, Center for Third World Organizing, People Organized for Westside Renewal, PICO California, San Diego Organizing Project, California Childcare Coordinators Association, California PIRG, Children's Defense Fund—California, Community Health Council, Elsdon, Inc., Greenlining Institute, Molina Healthcare of California, National Association of Social Workers, CA Chapter.

COLORADO

9to5 Colorado, Colorado Progressive Coalition, Colorado Organization for Latina Opportunity and Reproductive Rights, Together Colorado.

CONNECTICUT

Connecticut Citizen Action Group.

FLORIDA

Central Florida Jobs with Justice, Community Business Association, Florida CHAIN, Florida Chinese Federation, Florida Civic Rights Association—Asian American Affairs, Florida Coalition on Black Civic Participation (FCBCP), Florida Consumer Action Network, Florida Consumer Action Network Foundation, Florida Institute for Reform & Empowerment, Florida New Majority, Florida Watch Action, Labor Council for Latin American Advancement of Central Florida (LCLAA of CF), National Congress of Black Women, Organization of Chinese Americans—South Florida Chapter, Organize Now, South Florida Jobs with Justice, United Chinese Association of Florida.

GEORGIA

9to5 Atlanta, Georgia Rural Urban Summit.

HAWAII

Faith Action for Community Equity.

IDAHO

Idaho Community Action Network, Idaho Main Street Alliance, Indian People's Action, United Action for Idaho, United Vision for Idaho.

ILLINOIS

AFSCME Council 31, Chicago Federation of Labor, AFL-CIO, Citizen Action Illinois, Coalition of Labor Union Women (CLUW), Illinois Alliance for Retired Americans (IARA), Illinois Indiana Regional Organizing Network, Jane Addams Senior Caucus, Lakeview Action Coalition, Northside P.O.W.E.R., Public Action Foundation.

INDIANA

Northwest Indiana Federation of Interfaith Organizations.

IOWA

Iowa Citizen Action Network, Iowa Citizen Action Network Foundation, Iowa Citizens for Community Improvement, Iowa Main Street Alliance.

LOUISIANA

Micah Project—New Orleans, PICO Louisiana.

MAINE

Consumers for Affordable Healthcare, Maine Equal Justice Partners, Maine People's Alliance, Maine People's Resource Center, Maine Small Business Coalition, MSEA-SEIU Local 1989, Prescription Policy Choices.

MARYLAND

Maryland Communities United.

MASSACHUSETTS

Disability Policy Consortium.

MICHIGAN

Harriet Tubman Center—Detroit, Metropolitan Coalition of Congregations, Metro Detroit, Michigan Citizen Action, Michigan Citizen Education Fund, Michigan Organizing Collaborative.

MINNESOTA

AFSCME Council 5, CWA Minnesota State Council, Health Care for All—Minnesota, ISAIAH, Jewish Community Action, Minnesota AFL—CIO, Minnesotans for a Fair Economy, Moveon.org Twin Cities Council, Physicians for a National Health Plan—Minnesota, SEIU Local 284, SEIU Minnesota State Council, Take Action Minnesota, UFCW Local 1189, Universal Health Care Action Network—Minnesota.

MISSOURI

Communities Creating Opportunity, GRO (Grass Roots Organizing), Metropolitan Congregations United, Missouri Progressive Vote Coalition, Missouri Citizen Education Fund, Missouri Jobs with Justice, Missourians Organizing for Change, Missourians Organizing for Reform and Empowerment, Missouri Rural Crisis Center, Progress Missouri.

MONTANA

AFSCME Council 9, Big Sky CLC—Helena, Greater Yellowstone CLC—Billings, Indian People's Action, MEA–MFT, Missoula Area CLC, Montana Alliance for Retired Americans, Montana Organizing Project, Montana Small Business Alliance, MT AFL–CIO State Federation, MT–HCAN, SEIU Healthcare 775 NW, Southcentral Montana CLC—Bozeman, Southwestern Montana CLC—Butte.

NEBRASKA

Nebraska Urban Indian Health Clinic.

NEVADA

Dream Big Las Vegas, Nevada Immigration Coalition, PLAN Action, Progressive Leadership Alliance of Nevada, Uniting Communities of Nevada.

NEW HAMPSHIRE

Granite State Organizing Project, New Hampshire Citizens Alliance, New Hampshire Citizens Alliance for Action.

NEW JERSEY

New Jersey Citizen Action, New Jersey Citizen Action Education Fund, PICO New Jersey, New Jersey Communities United.

NEW MEXICO

Organizers in the Land of Enchantment (OLE).

NEW YORK

Center for Independence of the Disabled—NY, Citizen Action of New York and Public Policy and Education Fund, Community Service Society of New York, Health Care for All New York, Institute of Puerto Rican/Hispanic Elderly Inc. Make the Road New York, Medicaid Matters New York, Metro New York Health Care for All Campaign, New York Communities for Change, New Yorkers for Accessible Health Coverage, Professional Staff Congress at CUNY Local 2334—AFT, Public Policy and Education Fund of New York, Small Business United, Syracuse United Neighbor.

NORTH CAROLINA

Action North Carolina, Disability Rights NC, North Carolina Fair Share, North Carolina Justice Center, Unifour OneStop Collaborative.

OHIO

Communities United for Action, Contact Center, Fair Share Research and Education Fund, Mahoning Valley Organizing Collaborative, Ohio Alliance for Retired Americans Educational Fund, Ohio Organizing Collaborative, Progress Ohio, Progressive Democrats of America—Ohio Chapter, The People's Empowerment Coalition of Ohio, Toledo Area Jobs with Justice & Interfaith Worker Justice Coalition, UHCAN Ohio.

OREGON

Asian Pacific American Network of Oregon, Center for Intercultural Organizing, Fair Share Research and Education Fund, Main Street Alliance of Oregon, Oregon Action, Oregon Women's Action for New Directions, Rural Organizing Project, Portland Jobs with Justice, Urban League.

PENNSYLVANIA

ACHIEVA, ACTION United, Be Well! Pittsburgh, Beaver County NOW, Consumer Health Coalition, Lutheran Advocacy Ministry of Pennsylvania, Maternity Care Coalition, New Voices Pittsburgh: Women of Color for Reproductive Justice, Pennsylvania Alliance for Retired Americans, Philadelphia Unemployment Project, Women's Law Project.

RHODE ISLAND

Ocean State Action, Ocean State Action Fund.

TENNESSEE

Tennessee Citizen Action, Tennessee Citizen Action Alliance.

VIRGINIA

SEIU Virginia 512, Virginia AFL–CIO, Virginia New Majority, Virginia Organizing.

WASHINGTON

AFGE Local 3937, Asian Pacific Islander Americans for Civic Empowerment, FUSE Washington, Health Care for All Washington, Main Street Alliance of Washington, OneAmerica, Physicians for a National Health Program—Western Washington, Puget Sound Advocates for Retirement Action, SEIU Healthcare 1199NW, SEIU Local 6, SEIU Local 775, SEIU Healthcare 775NW, Spokane Peace and Justice Action League, Washington CAN! Education and Research Fund, Washington CARE Campaign, Washington Community Action Network Education, Washington Fair Trade Coalition, Washington State Labor Council AFL–CIO, Working Washington.

WEST VIRGINIA

West Virginia Citizen Action Group, West Virginia Citizen Action Education Fund.

WISCONSIN

9to5 Wisconsin, Citizen Action of Wisconsin, Citizen Action of Wisconsin Education Fund, Coalition of Wisconsin Aging Groups, M&S Clinical Services Assessment Center, Milwaukee Teachers Education Association (NEA), SEIU Healthcare Wisconsin, SOPHIA—Stewards of Prophetic, Hopeful, Intentional Action (Gamaliel), Wisconsin Federation of Nurses and Health Professionals (AFT).

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY & MEDICARE,
Washington, DC, February 28, 2013.

Hon. DICK DURBIN,
U.S. Senate, Hart Office Building, Washington, DC.

Hon. JANICE SCHAKOWSKY,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR SENATOR DURBIN AND REPRESENTATIVE SCHAKOWSKY: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and

Medicare, I am writing to express our support for the Medicare Prescription Drug Savings and Choice Act. We applaud this effort because it would improve the Medicare program for beneficiaries and reduce federal spending on prescriptions drugs.

We understand that your legislation would create one or more Medicare-administered drug plans with uniform premiums, providing seniors with the opportunity to purchase drugs directly through the Medicare program. In addition, your legislation would require the federal government to use its purchasing power to negotiate lower prices on prescription drugs for beneficiaries who enroll in the Medicare-administered plan. The Department of Veterans Affairs and many state governments are able to deliver lower drug prices because of price negotiation, and we believe that the federal government should be able to receive the best price available for Medicare prescription drugs. Finally, we appreciate that your legislation establishes an advisory committee to assess a public formulary and streamlines the Medicare Part D appeals process, which will help all beneficiaries.

Thank you for your continued leadership on Medicare, particularly for identifying ways to reduce Medicare spending without shifting costs to beneficiaries. We look forward to working with you to enact this important legislation.

Sincerely,

MAX RICHTMAN,
President and CEO.

By Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. WYDEN, and Mr. MORAN):

S. 411. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am joining my colleagues Senators, CRAPO, WYDEN, and MORAN in introducing the Short Line Railroad Rehabilitation and Investment Act of 2013, legislation to extend for 3 years the Section 45G short line freight railroad tax credit.

In the 112th Congress, I introduced a 6-year extension of this credit. Despite the often contentious atmosphere of the 112th Congress, during which my colleagues found little they could agree on, the short line rail credit was a bipartisan success story, with my legislation attracting more than 50 bipartisan cosponsors.

''Short line'' railroads are small freight rail companies responsible for bringing goods to communities that are not directly served by large, transcontinental railroads. Supporting small railroads allows the communities surrounding them to attract and maintain businesses and create jobs. The evidence of the success of this credit can be found in communities across America.

This credit has real impact for the people of my state. West Virginia is the second biggest producer of railroad ties in the country. Since the credit was enacted, it is estimated 750,000 railroad ties have been purchased above what would have otherwise been purchased with no incentive. Those railroad ties translate directly into jobs. This credit does not create just West Virginia jobs though. The ties, spikes, and rail this credit helps fund are almost entirely American made.

Over 12,000 rail customers across America depend on short lines. This credit creates a strong incentive for short lines to invest private sector dollars on private-sector freight railroad track rehabilitation and improvements. Unfortunately, it is now scheduled to expire at the end of 2013.

We were unable to enact a full 6-year extension of this important tax credit last Congress, but I was pleased that this credit was extended through the end of 2013 as part of the December 31st fiscal cliff deal.

This Congress I want to do more. This credit, and the short line railroads that serve all of our constituents, deserve a meaningful extension. If this credit is allowed to expire at the end of the year, private-sector investments in infrastructure in our communities will fall by hundreds of millions of dollars.

This bill would extend the 45G credit through 2016, providing the important long-term planning certainty necessary to maximize private-sector transportation infrastructure investment. Over 50 members of this body sponsored legislation in the last Congress extending this credit and I hope there will be similar support again this year. I ask my colleagues to join me in supporting this important legislation.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. PORTMAN, and Ms. KLOBUCHAR):

S. 413. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as a part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

Mr. CORNYN. 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. 413

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 ''Human Trafficking Reporting Act of 2013''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 ''severe forms of trafficking in persons'' means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department's 2012 Trafficking in Persons report found that—

(A) the United States is a ''source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking,''; and

(B) the United States needs to ''improve data collection on human trafficking cases at the federal, state and local levels''.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments world-wide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that ''the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time''.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation's Uniform Crime Report.

SEC. 3. HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.

Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

''(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term 'part 1 violent crimes' shall include severe forms of trafficking in persons, as defined in section 103(8) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)).''.

By Ms. LANDRIEU (for herself, Mr. COCHRAN, Mrs. GILLIBRAND, and Mr. PRYOR):

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; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on an issue that is of great importance to my home State of Louisiana: Federal disaster assistance. As you know, along the Gulf Coast, we keep an eye trained on the Gulf of Mexico during hurricane season. This is following the devastating one-two punch of Hurricanes

Katrina and Rita of 2005 as well as Hurricanes Gustav and Ike in 2008. Unfortunately, our region also has had to deal with the economic and environmental damage from the Deepwater Horizon disaster in 2010 and more recently Hurricane Isaac. For this reason, as Chair of the Senate Committee on Small Business and Entrepreneurship ensuring Federal disaster programs are effective and responsive to disaster victims is one of my top priorities. While the Gulf Coast is prone to hurricanes, other parts of the country are no strangers to disaster. For example, the Midwest has tornadoes, California experiences earthquakes and wildfires, and the Northeast sees crippling snowstorms. So no part of our country is spared from disasters—disasters which can and will strike at any moment. This certainly hit home when the northeast was struck by Hurricane Sandy in October of last year. With this in mind, we must ensure that the Federal government is better prepared and has the tools necessary to respond quickly, effectively following a disaster.

In order to give the U.S. Small Business Administration, SBA, better tools to respond after a future disaster, I am proud that to file the Small Business Disaster Reform Act of 2013. I want to thank my colleague Senator THAD COCHRAN for cosponsoring the bill and for helping me to make improvements. I am also appreciative that Senator KIRSTEN GILLIBRAND and Senator MARK PRYOR also have cosponsored the legislation. This bill will make two important improvements to SBA's disaster assistance programs for businesses. The first provision builds off of SBA disaster reforms enacted in 2008 and ensures that SBA is responsive to the needs of small businesses seeking smaller amounts of disaster assistance. These are the businesses that are burdened the most by liens on their primary personal residential homes when they could conceivably provide sufficient business assets as collateral for the loan. The second provision in the bill also authorizes the SBA Administrator to allow out-of-state Small Business Development Centers, SBDCs, to provide assistance in to small businesses located in Presidentially-declared disaster areas. This provision removes a limitation that, for disasters such as Hurricane Katrina or Hurricane Sandy, would allow experienced SBDC counselors to come in to a disaster area while local SBDCs are being stood back up following a catastrophic disaster. Lastly, to ensure that out-of-state SBDCs are not left paying out of pocket for assisting in these disaster areas, there also is legislative language in Section 4 encouraging the SBA to ensure it reimburses SBDCs for these disaster-related expenses provided they were legitimate and there are funds available to do so.

In particular, Section 2 of the bill that I am filing today would clarify that, for SBA disaster business loans less than $200,000 that SBA is required to utilize assets other than the primary residence if those assets are available to use as collateral towards the loan. The bill is very clear though that these assets should be of equal or greater value than the amount of the loan. Also, to ensure that this is a targeted improvement, the bill also includes additional language that this bill in no way requires SBA to reduce the amount or quality of collateral it seeks on these types of loans. I want to especially thank my former Ranking Member Olympia Snowe for working with me to improve upon previous legislation on this particular issue. The provision that I am re-introducing, as part of this disaster legislation, is a direct result of discussions with both her and other stakeholders late last year. I believe that this bill is better because of improvements that came out of these productive discussions.

I note that this provision is similar to Section 204 of S. 2731, the Small Business Administration Disaster Recovery and Reform Act of 2009 that Senator BILL NELSON and I introduced during the 111th Congress. A similar provision also passed the House of Representatives twice that Congress. H.R. 3854, which included a modified collateral requirement under Section 801, passed the House on October 29, 2009 by a vote of 389–32. The provision also passed the House again on November 6, 2009 by a voice vote as Section 2 of H.R. 3743. During the 112th Congress, this provision passed the Senate on December 28, 2012 by a vote of 62–32 as part of H.R. 1, the Senate-passed Disaster Relief Appropriations Act. However, it was not included in H.R. 152, the House-passed Disaster Relief Appropriations Act that subsequently was enacted into law. Despite the setback earlier this year, I remind my colleagues that this provision has a history of bipartisan Congressional support and has previously passed both chambers of Congress.

Section 2 addresses a key issue that is serving as a roadblock to business owners interested in applying for smaller SBA disaster loans. After the multiple disasters that hit the Gulf Coast, my staff has consistently heard from business owners, discouraged from applying for SBA disaster loans. When we have inquired further on the main reasons behind this hesitation, the top concern related to SBA requiring business owners to put up their personal home as collateral for smaller SBA disaster loans for their business. This requirement is understandable for large loans between $750,000 and $2 million. However, business owners complained about this requirement being instituted for loans of $200,000 or less. I can understand their frustration. Business owners, in many cases who have just lost everything, are applying to SBA for a $150,000 loan for their business. SBA then responds by asking them to put up their $400,000 personal home as collateral when the business may have sufficient business assets available to collateralize the loan. While I also understand the need for SBA to secure the loans, make the program cost effective, and minimize risk to the taxpayer, SBA has at its disposal multiple ways to secure loans.

Furthermore, SBA has repeatedly said publicly and in testimony before my committee that it will not decline a borrower for a lack of collateral. According to a July 14, 2010 correspondence between SBA and my office, the agency notes that ''SBA is an aggressive lender and its credit thresholds are well below traditional bank standards . . . SBA does not decline loans for insufficient collateral.'' SBA's current practice of making loans is based upon an individual/business demonstrating the ability to repay and income. The agency declines borrowers for an inability to repay the loan. In regards to collateral, SBA follows traditional lending practices that seek the ''best available collateral.'' Collateral is required for physical loans over $14,000 and Economic Injury Disaster Loans, EIDL, loans over $5,000. SBA takes real estate as collateral when it is available, but as I stated, the agency will not decline a loan for lack of collateral. Instead it requires borrowers to pledge what is available. However, in practice, SBA is requiring borrowers to put up a personal residence worth $300,000 or $400,000 for a business loan of $200,000 or less when there are other assets available for SBA.

This provision does not substantively change SBA's current lending practices and it will not have a significant cost. I believe that this legislation would not trigger direct spending nor would it have a significant impact on the subsidy rate for SBA disaster loans. Currently for every $1 loaned out, it costs approximately 10 cents on the dollar. Most importantly, this bill will greatly improve the SBA disaster loan programs for businesses ahead of future disasters. If a business comes to the SBA for a loan of less than $200,000 to make immediate repairs or secure working capital, they can be assured that they will not have to put up their personal home if SBA determines that the business has other assets to go towards the loan. However, if businesses seek larger loans than $200,000 or if their business assets are not suitable collateral, then the current requirements will still apply. This ensures that very small businesses and businesses seeking smaller amounts of recovery loans are able to secure these loans without significant burdens on their personal property. For the business owners we have spoken to, this provides some badly needed clarity to one of the Federal government's primary tools for responding to disasters.

To be clear though, while I do not want to see SBA tie up too much of a business' collateral, I also believe that if a business is willing and able to put up business assets towards its disaster loan, SBA should consider that first before attempting to bring in personal

residences. It is unreasonable for SBA to ask business owners operating in very different business environments post-disaster to jeopardize not just their business but also their home. Loans of $200,000 or less are also the loans most likely to be repaid by the business so personal homes should be collateral of last resort in instances where a business can demonstrate the ability to repay the loan and that it has other assets.

As previously mentioned, there are also safeguards in the provision that ensures that this provision will not reduce the quality of collateral required by SBA for these disaster loans nor will it reduce the quality of the SBA's general collateral requirements. These changes will assist the SBA in cutting down on waste, fraud and abuse of these legislative reforms. In order to further assist the SBA, I believe it is important to clarify what types of business assets we understand they should review. For example, I understand that SBA's current lending practices consider the following business assets as suitable collateral: commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

Section 3 of this bill removes an unnecessary prohibition in the Small Business Act that currently prohibits SBDCs from other states to help out in areas impacted by disasters. In particular, this provision authorizes the SBA Administrator to allow out-of-state SBDCs to provide assistance in to small businesses located in Presidentially-declared disaster areas. This is because, as you may know, SBDCs are considered to be the backbone of the SBA's Office of Entrepreneurial Development efforts, and are the largest of the agency's OED programs. SBDCs are the university based resource partners that provide counseling and training needs for more than 600,000 business clients annually. From 2007 to 2008, the counseling and technical assistance services they offered lead to the creation of 58,501 new jobs, at a cost of $3,462 per job. Additionally, they estimate that their counseling services helped to save 88,889 jobs. These centers are even more critical following natural or manmade disasters. That is because SBDCs help impacted businesses in navigating Federal disaster programs, insurance programs, and in creating new business plans following a disaster. For that reason, we must ensure that there is continuity to have SBDC counselors on the ground in disaster areas.

For example, right after Hurricane Katrina our SBDCs in Louisiana were severely limited in what they could do because of the widespread damage to homes and facilities utilized by their counselors. On the other hand, their counterparts at the Florida SBDCs had a wealth of disaster expertise and were willing to assist but were prohibited from providing assistance to small businesses outside their geographic area. In 2012, we experienced similar challenges following Hurricane Sandy but SBDCs in Louisiana, Florida or elsewhere were prohibited from helping their counterparts in the Northeast even if they wanted to help recovery in New York or New Jersey and doing so would not impact their operations back home. For smaller scale disasters, local SBDCs will respond to disasters in their own areas. However, for large scale, catastrophic disasters, this provision could make a significant difference for impacted small businesses.

In fact, on December 13, 2012, my committee received excellent testimony from Jim King, Chair of the Association of Small Business Development Centers, ASBDCs, and State Director of New York State Small Business Development Center. Mr. King outlined the symbiotic relationship between different SBDC state chapters and how they currently assist each other after disasters. He specifically noted that, ''I was also privileged to have the opportunity to work with the SBDC in Louisiana following Hurricane Katrina in 2005 and visited New Orleans as one of five State Directors invited to share thoughts with my counterpart there, Mary Lynn Wilkerson, to evolve a strategy for recovery. I should note that Mary Lynn has returned the favor many times over since Hurricane Sandy devastated our area, with materials, information and support, which has been greatly appreciated.'' He also later noted that ''Starting almost immediately after the disaster, staff in other states and programs began reaching out with offers of assistance and words or experiences of support . . . The experiences gained from disasters in Florida, Texas, Colorado, Louisiana and many other places reinforce the value of the SBDC network in meeting the needs of small business in times of disaster.'' I believe that these current relationships will be further strengthened by enacting this legislation. C.E. ''Tee'' Rowe, President/CEO of ASBDC noted this in his February 10, 2013 letter to my office, noting that, ''Allowing SBDCs to share resources across state lines or other boundaries for the purposes of disaster recovery is a common sense proposal, little different from utilities sharing linemen.'' At the same time, however, I encourage SBDC chapters across the country to establish more of these partnerships pre-disaster so that their SBDC counterparts can be there post-disaster. SBDC chapters that are, unfortunately, battle hardened from multiple disasters should not be the only chapters that bear fruit from these partnerships with their counterparts.

Furthermore, I note that Section 3 of the bill has previously been passed out of committee and has been approved by the full Senate during past sessions of Congress. So this provision has a strong record of bipartisan support. During the 110th Congress, this provision was approved unanimously by the Small Business and Entrepreneurship Committee on May 7, 2007 as Section 104 of S. 163, the ''Small Business Disaster Response and Loan Improvements Act of 2007.'' S. 163 was subsequently passed by the full Senate by unanimous consent on August 3, 2007. Unfortunately, this provision was not enacted into law before the adjournment of the 110th Congress. In the 111th Congress, this provision was again approved unanimously by the Small Business and Entrepreneurship Committee on July 2, 2009 as Section 607 of S. 1229, the ''Entrepreneurial Development Act of 2009'' but was not enacted into law before the adjournment of that Congress. Lastly, during the 112th Congress, the provision received 57 strong bipartisan votes on July 12, 2012 as Section 433 of Senate Amendment 2521 to S. 2237, the ''Small Business Jobs and Tax Relief Act of 2012.'' My Republican colleagues Senators Snowe, COLLINS, VITTER, Scott Brown, and HELLER all voted in support of the amendment. Although it was not ultimately enacted into law, the provision was subsequently included in separate pieces of legislation introduced by Senator Olympia Snowe and myself. This provision was included as Section 433 of S. 3442, the ''SUCCESS Act of 2012'' that I introduced on July 25, 2012 as well as Section 433 of S. 3572, the ''Restoring Tax and Regulatory Certainty to Small Business Act of 2012'' that Senator Snowe introduced on September 9, 2012.

Lastly, Section 4 is a new provision that I worked with my colleague Senator COCHRAN to include in the legislation. This section addresses past instances where SBDCs were not sufficiently reimbursed post-disaster by the SBA for disaster-related expenses. Section 3 provides clear Congressional intent that, in authorizing the SBA to allow out-of-state SBDCs to assist in disaster areas outside their geographic location, the agency must also ensure that out-of-state SBDCs are not left paying out of pocket for assisting in these disaster areas. If the SBA approves for these SBDCs to deploy staff or resources to a disaster area, the agency must in turn ensure that it reimburses SBDCs for these expenses provided they were legitimate and there are funds available to do so. I thank Senator COCHRAN for bringing this to my attention on behalf of his local SBDCs, and look forward to working closely with him to enact this provision into law.

In closing, I believe that these commonsense disaster reforms will greatly benefit businesses impacted by future disasters. First, the major proposals in this legislation are neither new nor untested. Next, this approach has already received support from the following groups from across the country: the Association of Small Business Development Centers, the International Economic Development Council, the Southwest Louisiana Economic Development Alliance, the St. Tammany Economic Development Foundation, the Northeast Louisiana Economic

Partnership, and the Bay Area Houston Economic Partnership. With that in mind, the Senate should not make the perfect the enemy of the good. If we can make these reforms today and help one business impacted by a disaster tomorrow, we will have done what our constituents sent us here to do: make good laws.

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

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

S. 415

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 ''Small Business Disaster Reform Act of 2013''.

SEC. 2. CLARIFICATION OF COLLATERAL REQUIREMENTS.

Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended by inserting after ''which are made under paragraph (1) of subsection (b)'' the following: '': *Provided further*, That the Administrator, in obtaining the best available collateral for a loan of not more than $200,000 under paragraph (1) or (2) of subsection (b) relating to damage to or destruction of the property of, or economic injury to, a small business concern, shall not require the owner of the small business concern to use the primary residence of the owner as collateral if the Administrator determines that the owner has other assets with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: *Provided further*, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral''.

SEC. 3. ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.

Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking ''(3) At the discretion'' and inserting the following:

''(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSINESSES.—

''(A) IN GENERAL.—At the discretion''; and

(2) by adding at the end the following:

''(B) DISASTER RECOVERY ASSISTANCE.—

''(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide assistance, as described in subsection (c), to a small business concern located outside of the State, without regard to geographic proximity, if the small business concern is located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), during the period of the declaration.

''(ii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the small business development center otherwise provides services.

''(iii) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.''.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that, subject to the availability of funds, the Administrator of the Small Business Administration shall, to the extent practicable, ensure that a small business development center is appropriately reimbursed for any legitimate expenses incurred in carrying out activities under section 21(b)(3)(B) of the Small Business Act (15 U.S.C. 648(b)(3)(B)), as added by this Act.

ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS,
Burke, VA, February 10, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: Thank you for giving the Association of Small Business Development Centers (ASBDC) the opportunity to comment on your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.).

While Congress has taken a significant step in addressing the resource issues following Sandy and other disasters there are still restrictions in the SBDC assistance authority and the US Small Business Administration's loan making authority that could complicate future disaster recovery efforts. We applaud your efforts to deal with those issues.

Under section 21(b)(3) of the Small Business Act (15 USC 648(b)(3)) SBDCs are limited in their ability to provide services across state lines. This prevents SBDCs dealing with disaster recovery, like New York and New Jersey, from being able to draw upon the resources available in our nationwide network of nearly 1,000 centers with over 4,500 business advisors. It likewise prevents states with great experience in disaster recovery assistance like Louisiana and Florida, from providing assistance to their colleagues.

Your proposed legislation amends that SBDC geographic service restriction for the purposes of providing disaster support and assistance. Our Association wholeheartedly endorses that change. Allowing SBDCs to share resources across state lines or other boundaries for the purpose of disaster recovery is a common sense proposal, little different from utilities sharing linemen. In addition, we would like to note that this provision has been supported by the Senate Committee on Small Business and Entrepreneurship twice in previous Congresses.

In addition, the ASBDC wishes to express its support for your proposals to amend the collateral requirements in the disaster loan program for loans under $200,000. SBDCs routinely assist small business owners with their applications for disaster loan assistance and have often faced clients with qualms about some of those requirements.

We share a common goal of putting small business on the road to recovery after disaster strikes and getting capital flowing is a key factor in meeting that goal. To that end, ASBDC supports your efforts to ease collateral requirements and help improve the flow of disaster funds to small business applicants. We believe your proposal to limit the use of personal homes as collateral on smaller loans is consistent with the need to get capital flowing to affected businesses and ease the stress on these businesses. We also agree that this change will not undermine the underwriting standards of the disaster loan program.

Thank you again for kind attention and continuing support of small business.

Sincerely,

C.E. ''TEE'' ROWE,
President/CEO, ASBDC.

INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL,
Washington, DC, February 13, 2013.

Hon. MARY L. LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate.

Hon. JAMES E. RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU AND SENATOR RISCH: On behalf of the International Economic Development Council (IEDC), please accept our appreciation for this opportunity to provide comments related to proposed changes to federal disaster assistance programs offered by the United States Small Business Administration (SBA). Your continuing support of these critical programs is worthy of praise and we thank you for your leadership.

IEDC has a strong history of supporting disaster planning and recovery. Our organization, with a membership of over 4,000 dedicated professionals, responded to communities in need following the 2005 hurricane season, the BP Gulf oil spill and other disaster-related incidents by providing economic development recovery assistance. We have continued our work in this area through technical assistance projects and partnerships with federal agencies and other non-governmental organizations. Our profession is invested in helping our country prepare for and respond to disasters, much the same as you and your colleagues on the Committee on Small Business and Entrepreneurship. To this end, we support proposed changes that will allow SBA to more effectively deliver disaster recovery assistance to local businesses in need of federal aid.

Rebuilding the local economy must be a top priority following a disaster, second only to saving lives and homes. IEDC supports the targeted changing of the current collateral requirements that state a business owner must place their home up as collateral in order to secure an SBA disaster business loan of $200,000 or less. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Consequently, SBA loans put in place to help businesses rebuild following a disaster go underutilized. As lawmakers, you have a responsibility to protect the taxpayer, which is why we understand the need for posting collateral of equal or greater value to the amount of the loan. The proposed targeted change that eliminates the specific requirement of using a home as collateral to guarantee a loan of $200,000 or less, and instead allowing business assets to act as collateral, will promote greater utilization of the loans. This is an idea we can all get behind; one that will lead to greater, faster economic recovery.

When disaster strikes, we should do everything in our power to bring the full resources of the federal government to bear in the impacted community. This includes, most especially, bringing in top experts who can immediately begin helping businesses and local economies recover. The national network of over 1,100 Small Business Development Centers (SBDC) could be an excellent resource to stricken communities. Unfortunately, current rules prevent SBDC's from assisting their counterparts in other jurisdictions. For example, those communities in the mid-Atlantic and New England impacted by Sandy are not able to benefit from the enormous

amount of knowledge and experience in storm recovery held by SBDCs in Florida and the Gulf region. Certainly, we can all agree that disasters warrant an extraordinary response and that response must include qualified expertise from all corners of the federal government.

Forty to sixty percent of small businesses that close as a result of a disaster do not reopen. This is an unacceptably high number. We would not accept that level of loss in homes and we cannot accept that level of loss in jobs; our communities cannot sustain such losses and duty dictates we make certain they don't have to. By enacting common sense legislation, like that which is under consideration here, and freeing the flow of capital and expertise, we are taking concrete steps to give our small businesses and local economies the greatest chance to recover.

IEDC is your partner in the work of job creation. We thank you for your leadership in support of small business and stand ready to offer our assistance in this and future efforts.

Sincerely,

PAUL L. KRUTKO,
Chairman, International Economic Development Council and President and CEO, Ann Arbor SPARK.

ST. TAMMANY
ECONOMIC DEVELOPMENT FOUNDATION,
Mandeville, LA, February 19, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

Dear SENATOR LANDRIEU: The St. Tammany Economic Development Foundation thanks you for the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 US 631 et seq.). As we learned from Hurricanes Katrina, Rita and most recently Isaac, the sooner our small businesses are able to recover, the better it is for the region, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than $200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Allowing business assets to act as collateral will promote greater utilization of the loans; leading to faster economic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide services across state lines. This prevents SBDCs in affected areas from being able to draw upon the resources available from their colleagues nationwide. Louisiana SBDCs have great experience in disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

We applaud your efforts to protect small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf. After all, small businesses are the lifeblood of our great nation.

Sincerely,

Brenda Bertus,
Executive Director, St. Tammany Economic Development Foundation.

NORTH LOUISIANA
ECONOMIC PARTNERSHIP,
February 26, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

Dear SENATOR LANDRIEU, The North Louisiana Economic Partnership thanks you for the opportunity to comment on the proposed changes to the disaster assistance programs offered by the United States Small Business Administration. The proposed amendments to the Small Business Act (15 USC 631 et seq.) will greatly enhance federal assistance to small businesses recovering from disasters. NLEP applauds your efforts to support our small businesses which make up the backbone of the American economy.

As a regional economic development organization promoting North Louisiana, NLEP often works with businesses impacted by natural or manmade disasters. The impact of these disasters can temporarily or permanently shut down small businesses, leaving both small business owners and their employees without a livelihood. The SBA disaster programs offer a real lifeline to these impacted businesses which have very few options available to them. The proposed amendment to Section 1 of the bill regarding collateral for business disaster loans would allow more small businesses to utilize the disaster loan programs. If approved, small business owners would no longer have to use their primary residence as collateral toward a SBA disaster business loan of less than $200,000, if other assets are available. During a widespread disaster, the primary residence of business owners may also be impacted and requiring them to use their home as collateral would create an onerous burden and/or be financially unfeasible. Eliminating this collateral requirement opens up assistance to those businesses most impacted by disaster, speeding recovery for businesses and a region's economy.

The second proposed change to Section 2 of the Small Business Act would allow Small Business Development Centers (SBDCs) to provide technical assistance to impacted small businesses beyond the current 250 mile limitation. The Louisiana Small Business Development Centers (LSBDCs) have successfully worked with countless small businesses devastated by Hurricanes Katrina, Rita, Gustav and Ike, and most recently the BP oil spill. The experience and expertise that the LSBDC could have shared with the SBDCs in the New York and New Jersey area would have enhanced their capabilities to cope with Superstorm Sandy. In times of disaster, it is essential to collaborate and pool resources in order to speed up delivery of much needed assistance.

For these reasons, the North Louisiana Economic Partnership fully endorses the proposed amendments to the current SBA legislation that would open up, enhance and efficiently deliver disaster assistance to small businesses.

Sincerely,

SCOTT MARTINEZ
President, North Louisiana Economic Partnership.

BAY AREA HOUSTON,
ECONOMIC PARTNERSHIP,
Houston, TX, February 13, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: The Texas economy has outperformed the rest of the country not only over the long term but also during the recent recession. Our pro-business climate has been a huge contributing factor to that, and so have Texas' small businesses. From 2002–2009, small businesses of fewer than 10 employees fueled the Texas employment engine, adding nearly 800,000 new jobs. When disaster strikes the Gulf Coast, as it did with Hurricanes Katrina, Rita, Gustav, and Ike, our small businesses are hit hard. The sooner they are able to recover the better it is for the region, the state, and the nation.

This is why I am writing to support your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq). Section 1 of the bill addresses collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than $200,000 if other assets are available of equal or greater value than the amount of the loan. This would certainly help to reduce anxiety on the part of small business owners and their families who have already experienced enough stress through damage to or total destruction of their businesses.

Section 2 of the bill includes the provision that authorizes the Small Business Administration to allow out-of-state small business development centers to provide assistance in presidentially-declared disaster areas, which is currently not allowed. When Hurricane Ike devastated our region in September 2008, we welcomed any and all kinds of disaster relief. The northeast just experienced a similar disaster with Hurricane Sandy. Utility crews from across the nation responded quickly to each. State lines should never be used to prevent aid from reaching disaster victims. The majority of the membership of our organization is comprised of small businesses. On their behalf, we fully endorse this provision.

Thank you for working to keep America's small businesses strong and helping them to recover from major storms that we know will strike again.

Sincerely,

BOB MITCHELL,
President, Bay Area Houston Economic Partnership.

SWLA ECONOMIC
DEVELOPMENT ALLIANCE,
Lake Charles, LA, February 25, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU, The Southwest Louisiana Economic Development Alliance welcomes the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 US 631 et seq.). As we learned from Hurricanes Rita and Ike, the sooner our small businesses are able to recover, the better it is for the region, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than $200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Allowing business assets to act as collateral will promote greater utilization of the loans; leading to faster economic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide service across state lines. This prevents SBDCs in affected areas from being able to draw upon the resources available from their colleagues nationwide. Louisiana SBDCs have great experience in

disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

About 85% of the members of the Chamber SWLA are small businesses. We applaud your efforts to protect small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf.

Sincerely,

GEORGE SWIFT,
President/CEO,
SWLA Economic Development Alliance.

By Mr. ROCKEFELLER (for himself and Mr. BLUMENTHAL):

S. 418. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to introduce the Do-Not-Track Online Act of 2013. This bill is a critical step towards furthering consumer privacy. It empowers Americans to control their personal information online and provides them with the ability to prevent online companies from collecting and using that information for profit.

Do-not-track is a simple concept. It allows consumers, with a simple click of the mouse, to tell every company that participates in the vast online ecosystem, ''Do not collect information about me. I care about my privacy. My personal information is not for sale. And I do not want my information used in ways I do not expect or approve.'' Under this bill, online companies would have to honor that user declaration or face penalties enforced by the Federal Trade Commission, FTC, or State Attorneys General.

This bill is necessary because the privacy of Americans is increasingly under assault as more and more of their daily lives are conducted online. Whether it is a person at home searching for a new job or home, a parent researching her sick child's symptoms and treatments using a health application, or a teenager using her smartphone while riding the subway, online companies are collecting massive amounts of information, often without consumers' knowledge or consent. A vast array of companies that consumers have never heard of are surreptitiously collecting this information in numerous ways: third-party advertising networks place ''cookies'' on computer web-browsers to track the websites that consumers have visited; analytic and marketing companies identify individual computers by recognizing the unique configuration, or ''fingerprint,'' of web-browsers; and software applications installed on mobile devices, colloquially known as ''apps,'' collect, use, and share information about consumers' precise locations, contact lists, photographs, and other personal matters. All of this information can be combined and stored on computer servers around the world and used for a variety of purposes, ranging from website analytics to online behavioral advertising to the creation of comprehensive dossiers by data brokers that build and sell personal profiles about hundreds of millions of individual Americans.

My bill would empower consumers, if they so choose, to stem the tide. It would give them the means to prohibit the collection of their information from the start. Consumers would be able to tell companies collecting their personal information that they want those collection practices to stop. At the same time, the bill would preserve the ability of those online companies to conduct their business and deliver the content and services that consumers have come to expect and enjoy. The bill would grant the FTC rulemaking authority to use its expertise to protect the privacy interests of consumers while addressing the legitimate needs of industry.

The key to this bill is its simplicity. For over a decade in the Senate Commerce Committee, which I chair, we have tried to determine how online companies can provide clear and conspicuous notice to consumers about their information practices and—once this notice has been given—further determine how consumers can either opt-in or opt-out of those information collection practices. Yet today, privacy policies are still far too long, too complicated, and too full of technical legalese for any reasonable consumer to read, let alone understand. The failures of these notices are even clearer when placed on the exploding number of mobile devices on which consumers have grown to rely. My bill avoids this messy ''rabbit hole'' of policy considerations and creates an easy mechanism that gives consumers the opportunity to simply say ''no thank you'' to anyone and everyone collecting their online information. Period.

Let me also say a few words about what this bill does not do. My bill would not ''break the Internet,'' as I am sure we will hear from opponents. The truth is that my bill makes every necessary accommodation for online companies to continue providing content and services to consumers. For instance, websites and applications would still be able collect data to deliver the content and functionality that consumers have requested, perform internal analytics, improve performance, and prevent fraud. My bill would also allow online companies to collect and maintain consumer information when it has been voluntarily provided by the consumer. They could also collect data that is truly anonymous. Finally, consumers could allow companies they trust to collect and use their information by giving specific consent that overrides a general do-not-track preference. But, when consumers say that they do not want to be tracked, online companies would no longer be allowed to ignore this request and collect and use this information for any extraneous purpose. Moreover, these companies would be obligated to immediately destroy or anonymize the information once it is no longer needed to provide the service requested.

I think it is worth noting that since 2010, the FTC has called for a do-not-track solution. The commission has stated that any effective do-not-track system should be simple, easy to use, and persistent, and that, if implemented, it should prevent the collection of consumers' online data. The private sector has also taken notice and similarly recognized the utility of do-not-track for its users. Nearly every popular web browser now allows consumers to affirmatively declare a do-not-track preference to websites. The problem is that online companies have no legal obligation to honor this request and, in fact, many have gone so far as to outright refuse to do so. In February 2012, industry leaders stood at the White House and publicly declared their commitment to honor do-not-track requests from web browsers. Yet since that time, industry has failed to live up to those commitments. The online advertising industry has articulated huge exemptions to its pledge to limit the collection of information—exceptions that undermine the very self-regulatory programs the industry has promoted as effective. This industry has emphasized consumer choice yet has made statements publicly refusing to honor new do-not-track browser features. My bill would put an end to this gamesmanship and nonsense.

My bill is only part of the ongoing discussion on consumer privacy in Congress. It is simple, yet powerful. It allows consumers, if they choose, and I should emphasize that many will not make such a choice, to stop the mind-boggling number of online companies that are collecting vast amounts of their information. It gives consumers an easy-to-use tool that will implement their choices effectively in a complex, rapidly-changing online world. It prohibits those lurking in the cyber-shadows from profiting off of the personal, private information of ordinary Americans. I look forward to working with my colleagues on this and other privacy legislative efforts in the Commerce Committee and on the Senate floor.

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. 418

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 ''Do-Not-Track Online Act of 2013''.

SEC. 2. REGULATIONS RELATING TO "DO-NOT-TRACK" MECHANISMS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act,

the Federal Trade Commission shall promulgate—

(1) regulations that establish standards for the implementation of a mechanism by which an individual can simply and easily indicate whether the individual prefers to have personal information collected by providers of online services, including by providers of mobile applications and services; and

(2) rules that prohibit, except as provided in subsection (b), such providers from collecting personal information on individuals who have expressed, via a mechanism that meets the standards promulgated under paragraph (1), a preference not to have such information collected.

(b) EXCEPTION.—The rules promulgated under paragraph (2) of subsection (a) shall allow for the collection and use of personal information on an individual described in such paragraph, notwithstanding the expressed preference of the individual via a mechanism that meets the standards promulgated under paragraph (1) of such subsection, to the extent—

(1) necessary to provide a service requested by the individual, including with respect to such service, basic functionality and effectiveness, so long as such information is anonymized or deleted upon the provision of such service; or

(2) the individual—

(A) receives clear, conspicuous, and accurate notice on the collection and use of such information; and

(B) affirmatively consents to such collection and use.

(c) FACTORS.—In promulgating standards and rules under subsection (a), the Federal Trade Commission shall consider and take into account the following:

(1) The appropriate scope of such standards and rules, including the conduct to which such rules shall apply and the persons required to comply with such rules.

(2) The technical feasibility and costs of—

(A) implementing mechanisms that would meet such standards; and

(B) complying with such rules.

(3) Mechanisms that—

(A) have been developed or used before the date of the enactment of this Act; and

(B) are for individuals to indicate simply and easily whether the individuals prefer to have personal information collected by providers of online services, including by providers of mobile applications and services.

(4) How mechanisms that meet such standards should be publicized and offered to individuals.

(5) Whether and how information can be collected and used on an anonymous basis so that the information—

(A) cannot be reasonably linked or identified with a person or device, both on its own and in combination with other information; and

(B) does not qualify as personal information subject to the rules promulgated under subsection (a)(2).

(6) The standards under which personal information may be collected and used, subject to the anonymization or deletion requirements of subsection (b)(1)—

(A) to fulfill the basic functionality and effectiveness of an online service, including a mobile application or service;

(B) to provide the content or services requested by individuals who have otherwise expressed, via a mechanism that meets the standards promulgated under subsection (a)(1), a preference not to have personal information collected; and

(C) for such other purposes as the Commission determines substantially facilitates the functionality and effectiveness of the online service, or mobile application or service, in a manner that does not undermine an individual's preference, expressed via such mechanism, not to collect such information.

(d) RULEMAKING.—The Federal Trade Commission shall promulgate the standards and rules required by subsection (a) in accordance with section 553 of title 5, United States Code.

SEC. 3. ENFORCEMENT OF "DO-NOT-TRACK" MECHANISMS.

(a) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of a rule promulgated under section 2(a)(2) shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Except as provided in subparagraph (C), any person who violates this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) NONPROFIT ORGANIZATIONS.—The Federal Trade Commission shall enforce this Act with respect to an organization that is not organized to carry on business for its own profit or that of its members as if such organization were a person over which the Commission has authority pursuant to section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)).

(b) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to a rule promulgated under section 2(a)(2) in a practice that violates the rule, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such rule by such person;

(B) to compel compliance with such rule;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) CALCULATION.—Subject to subparagraph (B), for purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person that violates a rule promulgated under section 2(a)(2), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with the rule by an amount not greater than $16,000.

(B) MAXIMUM TOTAL LIABILITY.—The total amount of civil penalties that may be imposed with respect to a person that violates a rule promulgated under section 2(a)(2) shall not exceed $15,000,000 for all civil actions brought against such person under paragraph (1) for such violation.

(C) ADJUSTMENT FOR INFLATION.—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraphs (A) and (B) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of a rule promulgated under section 2(a)(2), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

SEC. 4. BIENNIAL REVIEW AND ASSESSMENT.

Not later than 2 years after the effective date of the regulations initially promulgated under section 2, the Federal Trade Commission shall—

(1) review the implementation of this Act;

(2) assess the effectiveness of such regulations, including how such regulations define or interpret the term ''personal information'' as such term is used in section 2;

(3) assess the effect of such regulations on online commerce; and

(4) submit to Congress a report on the results of the review and assessments required by this section.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. SANDERS, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 419. A bill to limit the use of cluster munitions; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my friend and colleague from Vermont, Senator LEAHY to introduce the Cluster Munitions Civilian Protection Act of 2013.

Our legislation places common sense restrictions on the use of cluster munitions. It prevents any funds from being spent to use cluster munitions that have a failure rate of more than one percent.

In addition, the rules of engagement must specify that the cluster munitions will only be used against clearly defined military targets; and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

Our legislation also includes a national security waiver that allows the President to waive the prohibition on the use of cluster munitions with a failure rate of more than one percent, if he determines it is vital to protect the security of the United States to do so.

However, if the President decides to waive the prohibition, he must issue a report to Congress within 30 days on the failure rate of the cluster munitions used and the steps taken to protect innocent civilians.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual ''bomblets.''

They are intended for attacking enemy troop and armor formations spread over a half mile radius.

But, in reality, they pose a deadly threat to innocent civilians.

In Afghanistan, between October 2001 and November 2002, 127 civilians lost their lives due to cluster munitions, 70 percent of them under the age of 18.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed by cluster munitions since 1991.

During the 2006 war in Lebanon, Israeli cluster munitions, many of them manufactured in the U.S., injured and killed 343 civilians.

Sadly, Syria is just the latest example.

According to Human Rights Watch, the Syrian military has used air-dropped and ground-based cluster munitions near or in civilian areas.

In October, residents of Taftanaz and Tamane reported that helicopters dropped cluster munitions on or near their towns. One resident told Human Rights Watch:

> On October 9, I heard a big explosion followed by several smaller ones coming from Shelakh field located at the north of Taftanaz. We went to see what happened. We saw a big [bomb] cut in half and several [bomblets] that were not detonated. I personally found one that was not exploded. There were small holes in the ground. The holes were dispersed and spread over 300 meters.

Another resident reported that an air-dropped cluster munitions released bomblets that landed between two neighboring schools.

Last month, Human Rights Watch issued another report that Syrian forces used ''notoriously indiscriminate'' ground-based cluster munitions near Idlib and Latamenh, a town near Hama.

Not surprisingly, the residents of these towns also reported that many of the bomblets were dispersed over a wide area, failed to explode, and killed or maimed innocent civilians.

One resident of Latamneh told Human Rights Watch:

> I heard a big explosion followed by smaller ones. . . . I saw wounded people everywhere and small bombs covering the streets. The damage caused to the buildings was minimal. I saw a lot of unexploded bomblets.

One civilian was killed during the attack and 15 more, including women and children, were wounded. Another civilian was later killed by an unexploded bomblet. One video shows a baby with shrapnel along his right arm.

Videos taken after the incident also show that the civilians who came across the munitions were unaware of the deadly power of an unexploded bomblet.

Men, and even children, can be seen handling these weapons as if they were toys or simply souvenirs from the war.

Now, the United States has rightly condemned the Syrian military's use of cluster munitions against innocent civilians.

However, our moral leadership is hampered by the fact that we continue to maintain such a large arsenal of these deadly weapons and our continued resistance to international efforts to restrict their use.

In fact, the United States maintains an estimated 5.5 million cluster munitions containing 728 million submunitions. These bomblets have an estimated failure rate of between 5 and 15 percent.

According to the most recent data, only 30,900 of these 728 million submunitions have self-destruct devices that would ensure a less than one percent failure rate.

That accounts for only 0.00004 percent of the U.S. arsenal.

So, the technology exists for the U.S. to meet the one percent standard, but our arsenal still overwhelmingly consists of cluster bombs with high failure rates.

How then, do we convince Syria not to use these deadly weapons?

While we wait, the international community has taken action.

On August 1, 2010, the Oslo Convention on Cluster Munitions—which would prohibit the production, use, and export of cluster munitions and requires signatories to eliminate their arsenals within eight years—formally came into force. To date, it has been signed by 111 countries and ratified by 77 countries.

This group includes key NATO allies such as Canada, the United Kingdom, France, and Germany, who are fighting alongside our troops in Afghanistan.

It includes 33 countries that have produced or used cluster bombs.

But it does not include the United States.

The United States chose not to participate in the Oslo process or sign the treaty.

This is unacceptable.

Instead, the Pentagon continues to assert that cluster munitions are ''legitimate weapons with clear military utility in combat.''

Recognizing that the United States could not remain silent in the face of widespread international efforts to restrict the use of cluster munitions, Secretary of Defense Robert Gates issued a new policy on cluster munitions in June, 2008 stating that, after 2018, the use, sale, and transfer of cluster munitions with a failure rate of more than 1 percent would be prohibited.

This policy is a step in the right direction, but would still allow the Pentagon to use cluster bombs with high failure rates for five more years.

That runs counter to our values. I believe the administration should take another look at this policy.

In fact, on September 29, 2009, Senator LEAHY and I were joined by 14 of our colleagues in sending a letter to President Obama urging him to conduct a thorough review of U.S. policy on cluster munitions.

On April 14, 2010, we received a response from then National Security Advisor Jim Jones stating that the administration will undertake this review following the policy review on U.S. landmines policy.

The administration should complete this review without delay.

Until then, we are still prepared to use these weapons with well-known failure rates and significant risks to innocent civilians?

What does that say about us?

The fact is, cluster munition technologies already exist that meet the one percent standard. Why do we need to wait until 2018?

This delay is especially troubling given that in 2001, former Secretary of Defense William Cohen issued his own

policy on cluster munitions stating that, beginning in fiscal year 2005, all new cluster munitions must have a failure rate of less than one percent.

Unfortunately, the Pentagon was unable to meet this deadline and Secretary Gates' policy essentially postpones any meaningful action until 2018.

If we do nothing, close to twenty years will have passed since the Pentagon first recognized the threat these deadly weapons pose to innocent civilians.

We can do better.

First, it should be noted that in 2007, Congress passed, and President Bush signed into law, the FY 2008 Consolidated Appropriations Act, which included a provision that prohibits the sale and transfer of cluster bombs with a failure rate of more than one percent.

That ban has been renewed on an annual basis and remains on the books.

Our legislation simply moves up the Gates policy by five years and extends the ban on the sale and transfer of cluster munitions with high failure rates to our own arsenal.

For those of my colleagues who are concerned that it may be too soon to enact a ban on the use of cluster munitions with failure rates of more than 1 percent, I point out again that our bill allows the President to waive this restriction if he determines it is vital to protect the security of the United States to do so.

I would also remind my colleagues that the United States has not used cluster munitions in Iraq since 2003 and has observed a moratorium on their use in Afghanistan since 2002.

In conclusion, let me say that Senator LEAHY and I remain as committed as ever to raising awareness about the threat posed by cluster munitions and to pushing the United States to enact common-sense measures to protect innocent civilians. This body constantly talks about America's moral leadership, and this is the perfect opportunity to exercise it.

Senator LEAHY and I continue our efforts for people like Phongsavath Souliyalat.

Last year, former Secretary of State Hillary Rodham Clinton traveled to Laos and met Phongsavath, a 19-year old Lao man who lost his eyesight and his hands to a bomblet just three years before.

The bomblet that injured Phongsavath was dropped more than 30 years ago during the Vietnam War. It lay unexploded, a de facto landmine, until his 16th birthday.

Sadly, he is not alone. The U.S. dropped 270 million bomblets over Laos, and 30 percent failed to explode.

According to an article from the Los Angeles Times, civilians in one-third of Laos are threatened by unexploded ordinance, and only one percent of that area has been cleared.

Since the Vietnam War, more than 20,000 people have been killed or injured by these deadly weapons. All of them were innocent civilians that the United States did not intend to target.

After Phongsavath described the suffering of those who, like him, had been injured by unexploded bomblets, Secretary Clinton replied: ''We have to do more.''

I agree wholeheartedly. As a first step, Congress should pass the Cluster Munitions Civilian Protection Act of 2013. I urge my colleagues to support this important initiative.

Mr. LEAHY. Mr. President, I am pleased to join with my friend from California, Senator FEINSTEIN, in introducing the Cluster Munitions Civilian Protection Act of 2013. It is identical to the bill that she and I have introduced in prior years, and I commend her for her persistence on this important humanitarian issue.

I come to this issue having devoted much effort over many years to shining a spotlight on and doing what can be done to help innocent victims of war. In the last century, and continuing into this new century, noncombatants increasingly have borne the brunt of the casualties in armed conflicts across the globe. Limiting the use of weapons that are inherently indiscriminate, such as landmines, and that have indiscriminate effects, such as cluster munitions, are tangible, practical, meaningful things we can do to reduce these unnecessary casualties.

Cluster munitions, like any weapon, have some military utility. But anyone who has seen the indiscriminate devastation that cluster munitions cause over wide areas understands the unacceptable threat they pose to noncombatants. These are not the laser guided weapons the Pentagon showed destroying their targets during the invasion of Baghdad. To the contrary. Cluster munitions can kill and maim anyone within the 360 degree range of flying shrapnel.

There is the horrific problem of cluster munitions that fail to explode as designed and remain as active duds, like landmines, until they are triggered by whoever comes into contact with them. Often it is an unsuspecting child, or a farmer.

Even now, in Laos today people are still being killed and maimed by millions of U.S. cluster munitions left from the 1970s. That legacy, resulting from years of secret bombing of a peaceful, agrarian people who posed no threat to the United States, contaminated more than a third of Laos' agricultural land and cost countless innocent lives. It is shameful that we have contributed less in the past 35 years to clean up these deadly remnants of war than we spent in a few days of bombing.

Current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets.

The Pentagon continues to insist that the United States should retain the ability to use millions of cluster munitions in its arsenal which have estimated failure rates of 5 to 20 percent. It has pledged to meet the 1 percent failure rate for U.S. use of cluster munitions in 2018.

Like Senator FEINSTEIN I reject the notion that the United States can justify using antiquated weapons that so often fail, so often kill and injure innocent people including children, and which many of our allies have renounced. That is not the kind of leadership the world needs and expects from the United States. If we have learned anything from Afghanistan it is that harming civilians, even unintentionally, creates enemies among those whose support we need, and undermines the mission of our troops.

Senator FEINSTEIN's and my bill would apply the 1 percent failure rate to U.S. use of cluster munitions beginning on the date of enactment. However, our bill permits the President to waive the 1 percent requirement if the President certifies that it is vital to protect the security of the United States. I would hope the Pentagon would recognize that this is in its best interest, and will work with us by supporting this reasonable step.

Since December 3, 2008, when the Convention on Cluster Munitions opened for signature in Dublin, at least 111 countries have signed the treaty including Great Britain, Germany, Canada, Norway, Australia and other allies of the United States. However, the Bush Administration did not participate in the negotiations that culminated in the treaty, and the Obama Administration has not signed it.

Some have dismissed the Cluster Munitions Convention as a pointless exercise, since it does not yet have the support of the United States and other major powers such as Russia, China, Pakistan, India and Israel. These are some of the same critics of the Ottawa treaty banning antipersonnel landmines, which the United States and the other countries I named have also refused to sign. But that treaty has dramatically reduced the number of landmines produced, used, sold, and stockpiled—and the number of mine victims has fallen sharply. Any government that contemplates using landmines today does so knowing that it will be condemned by the international community. I suspect it is only a matter of time before the same is true for cluster munitions.

It is important to note that the United States today has the technological ability to produce cluster munitions that meet the requirements of our bill, as well as of the treaty. What is lacking is the political will to act. There is no excuse for continuing to use cluster munitions that cause unacceptable harm to civilians.

I urge the Obama administration to review its policy on cluster munitions and put the United States on a path to

join the treaty as soon as possible. In the meantime, our legislation would be an important step in the right direction.

I want again to thank and commend Senator FEINSTEIN, who has shown such passion and steadfastness in raising this issue and seeking every opportunity to protect civilians from these indiscriminate weapons.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. CORKER, and Mr. PAUL):

S. 421. A bill to prohibit the Corps of Engineers from taking any action to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; to the Committee on Environment and Public Works.

Mr. ALEXANDER. Mr. President, today I am introducing legislation along with Senator MCCONNELL, Senator PAUL, and Senator CORKER, to prevent the U.S. Army Corps of Engineers from restricting fishing rights in some of the best fishing areas in the States of Tennessee and Kentucky below 10 dams along the Cumberland River.

I have talked with the Corps several times about this. They have told me the only solution is legislation. I am hoping there is some other solution by reasonable compromise.

But I am taking the Corps's advice. On Tuesday, Congressman ED WHITFIELD, of Kentucky, introduced legislation on this matter, and so I am introducing similar legislation today.

I have also drafted language that could be included in an appropriations bill that would prevent the Corps of Engineers from using any funds to restrict fishing in what is called the tailwaters below these 10 Corps of Engineers dams on the Cumberland River.

Today I spoke with the Secretary of the Army, John McHugh. I urged him to have the Corps give Congress enough time to consider this matter, perhaps to work out something with the Corps by compromise or, if not, to pass legislation.

On Monday, I am meeting with the Assistant Secretary of the Army, Jo-Ellen Darcy, who is in charge of the Corps of Engineers, to ask that the Corps stop taking any further action to build physical barriers along the Cumberland River.

Earlier, I met with James DeLapp, the colonel who is the commander of the Nashville District. Then I met, along with Congressman WHITFIELD and Congressman COOPER of Nashville, TN, with MG Michael Walsh, who is the deputy commanding general. I have had a number of meetings on this subject, and I am determined to get some result, one way or the other.

I am delighted to have the Republican leader, Senator MCCONNELL, my colleague, Senator CORKER from Tennessee, and Senator RAND PAUL of Kentucky as cosponsors on the legislation.

One may say, with a large number of problems facing our country—from Iran to the sequester—why is a Senator—in fact, four, and a number of Congressmen interested in fishing?

There are 900,000 Tennesseeans who have fishing licenses, and one of my jobs is to represent them. I know and they know these are some of the best fishing areas in our State.

This is an area where grandfathers and grandsons and granddaughters go on Saturdays and go during the week. There are lots of Tennesseeans who consider these prize properties and their lands. These are public lands, and they feel they have a right to be there.

The problem is that the Corps of Engineers wants to erect physical barriers below the dams to keep the fishermen out of the area that is just below the dam.

The Corps' goal is laudable. The goal is to improve safety, they say. We all support safety, but there are much better solutions than this.

Let me give an analogy. When you have a railroad crossing, you do not keep the gate down at the railroad crossing 100 percent of the time. The track is not dangerous if the train is not coming.

The water comes through these dams only 20 percent of the time, and the water is not dangerous if the water is not spilling through the dams. So if we kept the gate down at the railroad crossing 100 percent of the time, we would never be able to travel anywhere. That is the same sort of reasoning we have here.

From Washington, the Department of the Army is saying they have a policy, which they have had since 1996—which they have never applied on the Cumberland River—that suddenly they have decided, after all these years, they have to close the fishing area 100 percent of the time, even though it might be dangerous only 20 percent of the time.

I am not the only one who thinks this is an unreasonable policy.

Last week, I went to Old Hickory Dam, near Nashville. About 150 fishermen were there with me on the banks of the Cumberland River. I met with the Corps officials. They turned the water on so I could see it spilling through the dam. Then they turned it off. I met with Ed Carter, the director of the Tennessee Wildlife Resources Agency. I met with Mike Butler, the chief executive of the Tennessee Wildlife Federation. I have talked with the Kentucky wildlife people and this is what they say. They think the Corps' plans to improve safety are so unreasonable that the wildlife agencies will not even help them enforce it. But they say, on the other hand, there are reasonable ways to improve safety; that is, to treat the waters below the dam the way the Tennessee Valley Authority does, for example, which is to erect large signs—some of which already exist at Old Hickory Dam—blow the siren when the water is coming through. You can close the parking lot. You could patrol the area. There are lots of ways to put the gate down, in effect, on these fishing areas 20 percent of the time. That makes a lot of sense, and the local agencies are willing to help do that.

Our legislation makes clear that for purposes of this act, installing and maintaining sirens, strobe lights, and signage for alerting the public of hazardous waters shall not be considered a part of the prohibition. It makes no sense to take these public lands and say to people: Well, the lawyers came in and said we need to be careful. Of course we need to be careful; however, being careful does not mean you keep the gate down over the railroad crossing 100 percent of the time, and it doesn't mean you close the area to fishing 100 percent of the time when it is dangerous only 20 percent of the time.

I am also concerned about the $2.6 million the Corps needs to transfer from other parts of its budget to put up these physical barriers. Where is the money coming from? I thought we were in the middle of a big sequester, a big budget crunch. I thought we were out of money. One of the areas which has some of the most difficult problems to deal with is the Department of the Army. This is no time to be wasting money building barriers that the wildlife people in Tennessee and Kentucky, whose job it is to encourage boat safety, think are unreasonable.

I am doing what the Corps has said needs to be done, which is to provide legislation. I look forward to continuing to work with the Corps of Engineers. My hope is that we can work out a reasonable solution with the wildlife agencies.

The county judges on both sides of the border are very involved in this. They see the economic benefit that comes from the large number of people who visit those areas for recreational purposes. They leave their dollars behind. This creates good jobs in Tennessee and Kentucky.

Basically, these are public waters. Tennessee and Kentucky fishermen ought to have access to them, and there shouldn't be an edict from Washington that puts the gate down the railroad crossing 100 percent of the time. I am going to do my best to see that doesn't stand. I hope we can work it out, but if we cannot, I am glad to introduce this legislation with Senator MCCONNELL, Senator CORKER, and Senator PAUL. The same legislation is in the House of Representatives with Congressman WHITFIELD. I look forward to my meeting Monday with the Assistant Secretary of the Army.

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

S. 421

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 ''Freedom to Fish Act''.

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Army, acting through the Chief of Engineers, shall not take any action to establish a restricted area prohibiting public access to waters downstream of a dam owned by the Corps of Engineers.

(b) EXCLUSION.—For purposes of this Act, installing and maintaining sirens, strobe lights, and signage for alerting the public of hazardous water conditions shall not be considered to be an action to establish a restricted area under subsection (a).

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), this section shall apply to an action described in subsection (a) on or after August 1, 2012.

(2) EXISTING RESTRICTIONS.—If the Secretary of the Army, acting through the Chief of Engineers, has taken an action described in subsection (a) during the period beginning on August 1, 2012, and ending on the date of enactment of this Act, the Secretary shall—

(A) cease implementing the restricted area resulting from the action; and

(B) remove any barriers constructed in connection with the restricted area.

By Mrs. FEINSTEIN:

S. 431. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Nepal Trade Preferences Act.

This legislation is simple and straightforward. It grants duty-free status to imports of Nepalese garments for a seven year period.

As a friend of Nepal and the Nepalese people for over 25 years, I believe this bill will promote economic prosperity and lasting political stability in one of the world's poorest countries.

Nepal has a per capita income of $540.

Approximately 25 percent of the Nepal's 24 million people live in poverty.

The unemployment rate in Nepal stands at a staggering 47 percent; and most Nepalese live on $3 a day.

Nepal's poverty was also compounded by a devastating, 10-year Maoist insurgency which resulted in the deaths of 13,000 people.

Thankfully, on November 21, 2006 Nepal's government and Maoist rebels signed a peace accord.

Two years later, Nepal became a republic and a Constituent Assembly was elected to draft a new constitution.

Unfortunately, this momentum has stalled and Nepal remains without a new constitution.

Challenges persist for Nepal's economy.

In 2005, in accordance with an international agreement, all quotas on garment imports were removed.

This has had a devastating impact on Nepal's garment industry as U.S. importers have shifted their orders to China, India and other suppliers with cheaper labor markets.

The number of people employed by the Nepalese garment industry dropped from over 100,000 people—half of them women to between 5,000 and 10,000.

Garment exports fell from approximately $139 million in 2000 to $47 million in 2011.

The number of garment factories plummeted from 450 to 10.

The U.S. share of Nepalese garment exports dropped from 90 percent to 21 percent.

Despite Nepal's poverty and the collapse of the garment industry, Nepalese garments are still subject to an average U.S. tariff of 11.7 percent and can be as high as 32 percent.

In essence, we are penalizing an impoverished country which cannot afford it. This makes no sense.

I would point out that U.S. tariffs on Nepalese garments stand in contrast to the European Union, Canada, and Australia which allow Nepalese garments into their markets duty free.

It should come as no surprise, then, that while the U.S. share of Nepalese garment exports has fallen, the European Union's share has risen from 18.14 percent in 2006 to 46 percent in 2010.

The purpose of the Nepal Trade Preferences Act is to ensure that we provide Nepal with the same trade preferences afforded to it by other developed countries. No more, no less.

Humanitarian and development assistance programs should be critical components of our efforts to help Nepal.

But we should also help the Nepalese people help themselves and open the U.S. market to a once thriving export industry.

In the end, economic growth and prosperity can be best achieved when Nepal is given the chance to compete and grow in a free and open global marketplace.

Success in that marketplace will lead to a lesser dependence on foreign aid and encourage Nepal to develop other viable export industries.

With this legislation, the United States can make a real difference now to help revitalize the garment industry in Nepal and promote economic growth and higher living standards.

The impact on the domestic industry will be minimal. At most, Nepalese garments have accounted for 0.26 percent of all garment imports in the United States generating $14 million in revenue.

Nepal will continue to be a small player in the U.S. market.

But to allay any concerns that Nepalese garments will somehow flood the market, this bill does place sensible restrictions on the amount of garments that will receive duty free status. That amount will rise every year up to a specific percentage of all U.S. garment imports.

By passing this legislation, we will help ensure that the garment industry will be a big player in contributing to Nepal's economic growth and development. This will be more jobs and a rising standard of living for the Nepalese people.

Let there be no doubt, it is my hope that this bill will also spur Nepal's political parties to come together, resolve their differences, and finalize a new constitution. Lasting political stability is essential if Nepal is to fully realize the economic benefits of this legislation.

Almost 7 years ago, the Nepalese people embraced peace and reconciliation. Let us show our solidarity with them and demonstrate our commitment to the success of the peace process by passing this commonsense measure.

I urge my colleagues to support the Nepal Trade Preferences Act.

By Mrs. FEINSTEIN:

S. 432. A bill to extend certain trade preferences to certain least-developed countries in Asia and the South Pacific, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Asia-South Pacific Trade Preferences Act of 2013, a bill to promote economic growth, democracy, and political stability in some of the world's poorest countries.

This legislation will provide duty-free and quota-free benefits for garments and other products similar to those afforded to beneficiary countries under the African Growth and Opportunity Act, AGOA.

The countries covered by this legislation are 13 Least Developed Countries, LDCs, as defined by the United Nations and the U.S. State Department, which are not covered by any current U.S. trade preference program: Afghanistan, Bangladesh, Bhutan, Cambodia, Kiribati, Laos, Maldives, Nepal, Samoa, Solomon Islands, East Timor, Tuvalu, and Vanuatu.

These countries are among the poorest in the world with the bulk of their citizens living on less than $1 a day.

Despite this widespread poverty, their exports are subject to some of the highest U.S. tariffs, averaging around 16 percent.

In fact, these developing countries pay a disproportionate share of U.S. tariffs.

Bangladesh, for example, is the 9th largest contributor of U.S. tariffs even though it is the 46th largest source of U.S. imports.

Cambodia is the 12th largest contributor of U.S. tariffs but ranks as the 60th largest source of U.S. imports.

So, in essence, these two developing countries pay more in U.S. tariffs than many European countries. How is that fair or consistent with our values?

Unfortunately, the United States is the only developed nation that has not provided an enhanced trade preference program to the beneficiary countries in this bill.

Indeed, we maintain duty preference programs for Haiti, the countries of sub-Saharan African and other developing countries and rightly so. These programs are critical components of our efforts to provide hope for millions of people struggling with poverty.

But it makes no sense to exclude other countries at the same level of economic development. We should not hesitate to correct this inequity.

This is not about pitting one developing country against the other. Rather, it is a simple matter of fairness and

ensuring that we help all of those in need.

In fact, this effort goes hand in hand with my long-standing support for a strong and effective foreign aid budget for the United States as an essential tool in helping lift these countries out of poverty and put them on the path to economic prosperity and political stability.

Especially in these difficult fiscal times, however, humanitarian and development assistance should not be the sum total of our efforts.

Make no mistake: these programs help stabilize poor and war-torn countries, save lives, and lay the foundation for future prosperity.

Yet, the key for sustained growth, jobs, and rising standards of living will be the ability of each of these countries to create vital export industries to compete in a free and open global marketplace.

It is clear that the textile and apparel industries in many of the Asia-South Pacific countries in this bill are those industries that hold out the best hope for export growth.

We should help these countries help themselves by opening the U.S. market to their exports as we have done for other developing countries in the past.

By doing so, we will demonstrate the best of American values: reaching out to neighbors in need and helping them to stand on their own two feet.

We will also help ourselves.

First, as these countries become more prosperous, we will see new opportunities for our own exports in their growing markets.

This, in turn, will create jobs and economic growth in our own country.

But if we maintain high tariffs on imports from the Asia-South Pacific countries, those opportunities will likely go to the European Union and other developed countries that already have trade preference programs for these countries.

We should not put ourselves at such a disadvantage.

Second, as the Asia-South Pacific countries become more stable politically, we will help protect U.S. national security interests by preventing failed states which could become breeding grounds for terror.

There is no doubt in my mind that the cost of lowering tariffs on the imports of textile and apparel products from the Asia-South Pacific countries is far less than any military intervention.

We will also help ourselves by securing partners in the fight against global threats such as terrorism, climate change, the HIV/AIDS pandemic, and the proliferation of weapons of mass destruction.

U.S. leadership is essential in those efforts. But they require a global, multilateral response. As these countries grow, they can assume a larger role and contribute more effectively.

When it comes to our national security, every bit of assistance helps.

Finally, at a time of economic uncertainty, by eliminating tariffs on imports from the Asia-South Pacific countries, this bill will help lower prices for the American consumers and provide them with more options.

It will also help the 3 million American workers whose jobs depend on apparel imports.

There is no doubt in my mind that the Asia-South Pacific Trade Preferences Act is a win-win for the U.S. and the Asia-South Pacific countries.

Now, let me address some of the concerns that may be raised about this bill.

First, many of the Asia-South Pacific countries have struggled in the past with corruption, a lack of democracy, human rights abuses, and the absence of rule of law.

Some may ask: why reward these countries with a trade preference program?

Make no mistake. These countries will not automatically receive the trade benefits provided by this legislation.

This legislation has been drafted to ensure that the benefits are granted on a performance-driven basis.

That is, to be eligible, a beneficiary country must demonstrate that it is making continual progress toward establishing rule of law, political pluralism, the right to due process, and a market-based economy that protects private property rights.

So, this legislation would help promote democracy, human rights, and the rule of law while sustaining vital export industries and creating employment opportunities.

The beneficiary countries have a clear incentive to stay on the right path or they will lose the benefits of this bill.

If we ignore any problems, we will sustain the status quo and our efforts will fail.

Finally, whenever we discuss the creation of a new trade preference program, understandable concerns are raised about the impact on domestic manufacturers.

If this bill becomes law, however, the impact on U.S. jobs will be minimal.

Currently, the beneficiary countries under this legislation account for only 4 percent of U.S. textile and apparel imports, compared to 24 percent for China, and 72 percent for the rest of the world.

These countries will continue to be small players in the U.S. market, but the benefits of this legislation will have a major impact on their export economies.

By passing this legislation we will have an opportunity to change lives, protect our national security interests, and help the American consumer. We should seize this opportunity.

I respectfully ask for the support of all my colleagues for this important initiative.

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

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 63—ENCOURAGING THE NAVY TO COMMISSION THE USS SOMERSET (LPD–25) IN PHILADELPHIA, PENNSYLVANIA

Mr. TOOMEY (for himself and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 63

Whereas the USS Somerset (LPD–25) is the ninth and newest amphibious transport dock ship in the San Antonio class;

Whereas the USS Somerset honors the passengers of United Airlines Flight 93 whose actions prevented terrorist hijackers from reaching their intended target, forcing the aircraft to crash in Somerset County, Pennsylvania, on September 11, 2001;

Whereas, in the words of former Secretary of the Navy Gordon England, ''The courage and heroism of the people aboard the flight will never be forgotten and USS Somerset will leave a legacy that will never be forgotten by those wishing to do harm to this country.'';

Whereas the USS Somerset joins the USS New York (LPD–21) and the USS Arlington (LPD–24) in remembering the heroes of September 11, 2001;

Whereas the USS Somerset was christened in July 2012 and will be commissioned when it is put in active service;

Whereas the Navy has cleared Philadelphia, Pennsylvania, as a potential site for the commissioning ceremony of the USS Somerset; and

Whereas Philadelphia is one of the closest ports to Somerset County, and it would be fitting that the commissioning ceremony be held there: Now, therefore, be it

Resolved, That the Senate encourages the Navy to commission the USS Somerset (LPD–25) in Philadelphia, Pennsylvania.

SENATE RESOLUTION 64—AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR THE PERIOD MARCH 1, 2013, THROUGH SEPTEMBER 30, 2013

Mr. SCHUMER submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 64

Resolved,

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2013, through September 30, 2013, in the aggregate of $62,295,795, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period March 1, 2013, through September 30, 2013, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the

Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $2,464,069, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. COMMITTEE ON ARMED SERVICES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $4,179,885, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 4. COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,787,685, of which amount—

(1) not to exceed $10,267, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $616, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,950,532, of which amount—

(1) not to exceed $35,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $21,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $4,080,061, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 7. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,453,383.

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,178,904, of which amount—

(1) not to exceed $4,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 9. COMMITTEE ON FINANCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $4,693,751, of which amount—

(1) not to exceed $17,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $5,833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,866,195, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $5,381,475, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $6,074,429, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government, and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce, and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety, including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend

to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 81, agreed to March 2, 2011 (112th Congress) are authorized to continue.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $5,882,131, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 14. COMMITTEE ON RULES AND ADMINISTRATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration , to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,619,831, of which amount—

(1) not to exceed $43,750, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $7,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,524,917, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 16. COMMITTEE ON VETERANS' AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,409,970, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 17. SPECIAL COMMITTEE ON AGING.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,704,661, of which amount not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $3,739,220, of which amount not to exceed $10,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).

SEC. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2013, through September 30, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration,

to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2013.—The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this section shall not exceed $1,304,696, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 20. SPECIAL RESERVE.

(a) ESTABLISHMENT.—Within the funds in the account ''Expenses of Inquiries and Investigations'' appropriated by the legislative branch appropriation Acts for fiscal year 2013, there is authorized to be established a special reserve to be available to any committee funded by this resolution as provided in subsection (b) in an amount not to exceed $3,850,000, which shall be available for the period March 1, 2013, through September 30, 2013.

(b) AVAILABILITY.—The special reserve authorized in subsection (a) shall be available to any committee—

(1) on the basis of special need to meet unpaid obligations incurred by that committee during the period referred to in subsection (a); and

(2) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Chairman and Ranking Member of the Committee on Rules and Administration.

SEC. 21. SENATE NATIONAL SECURITY WORKING GROUP EXTENSION AND REVISION.

(a) WORKING GROUP RECONSTITUTION.—

(1) IN GENERAL.—The Senate National Security Working Group (in this section referred to as the ''Working Group''), authorized by Senate Resolution 105 of the 101st Congress, 1st session (agreed to on April 13, 1989), as subsequently amended and extended, is hereby reconstituted.

(2) DUTIES.—The Working Group—

(A) shall serve as a forum for bipartisan discussion of current national security issues relating to the jurisdictions of multiple committees of the Senate;

(B) shall conduct regular meetings and maintain records of all meetings and activities;

(C) may authorize members to act as official observers on the United States delegation to any negotiations to which the United States is a party regarding—

(i) the reduction, limitation, or control of conventional weapons, weapons of mass destruction, or the means for delivery of any such weapons;

(ii) the reduction, limitation, or control of missile defenses; or

(iii) export controls;

(D) may study any issues related to national security that the majority leader of the Senate and the minority leader of the Senate jointly determine appropriate;

(E) is encouraged to consult with parliamentarians and legislators of foreign nations and to participate in international forums and institutions regarding the matters described in subparagraphs (C) and (D); and

(F) is not authorized to investigate matters relating to espionage or intelligence operations against the United States, counterintelligence operations and activities, or other intelligence matters within the jurisdiction of the Select Committee on Intelligence under Senate Resolution 400 of the 94th Congress, agreed to on May 19, 1976.

(3) COMPOSITION.—

(A) IN GENERAL.—The Working Group shall be composed of 20 members, as follows:

(i) 7 Cochairmen, who shall head the Working Group, as follows:

(I) 4 Members of the Senate from the majority party in the Senate (in this section referred to as the ''Majority Cochairmen''), appointed by the majority leader of the Senate.

(II) 3 Members of the Senate from the minority party in the Senate (in this section referred to as the ''Minority Cochairmen''), appointed by the minority leader of the Senate.

(ii) The majority leader of the Senate and the minority leader of the Senate.

(iii) 5 Members of the Senate from the majority party in the Senate, appointed by the majority leader of the Senate.

(iv) 6 Members of the Senate from the minority party in the Senate, appointed by the minority leader of the Senate.

(B) ADMINISTRATIVE COCHAIRMEN.—The majority leader of the Senate shall designate one of the Majority Cochairmen to serve as the Majority Administrative Cochairman, and the minority leader of the Senate shall designate one of the Minority Cochairmen to serve as the Minority Administrative Cochairman.

(C) PUBLICATION.—Appointments and designations under this paragraph shall be printed in the Congressional Record.

(4) VACANCIES.—Any vacancy in the Working Group shall be filled in the same manner in which the original appointment was made.

(b) WORKING GROUP STAFF.—

(1) COMPENSATION AND EXPENSES.—(A) The Working Group is authorized, from funds made available under subsection (c), to employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(e)), and incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) Senate Resolution 243, 100th Congress, agreed to July 1, 1987, is amended in section 2(b) by striking the period at the end and inserting ''at a rate not to exceed that allowed for employees of a committee of the Senate under paragraph (3) of section 105(e) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61–1(e)).''.

(C) Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized, however, only for those actual expenses incurred by the Working Group in the course of conducting its official duties and functions. Amounts received as reimbursement for such food expenses shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under title 26, United States Code.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—The Majority Administrative Cochairman shall designate one or more professional staff members for each Majority Cochairman of the Working Group, upon recommendations from each such Majority Cochairman. The Minority Administrative Cochairman shall designate one or more professional staff members for each Minority Cochairman of the Working Group, upon recommendations from each such Minority Cochairman.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any such professional staff member who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Working Group, such professional staff member shall continue to be paid by such Member or such Committee, as the case may be, but the account from which such professional staff member is paid shall be reimbursed for the services of such professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c)(2).

(C) DUTIES.—The professional staff members authorized by this paragraph shall serve all members of the Working Group and shall carry out such other functions as their respective Cochairmen may specify.

(D) EXCLUSIVE PARTICIPATION IN OFFICIAL ACTIVITIES.—Except as provided in paragraph (4), only designated staff of the Working Group may participate in the official activities of the Working Group.

(3) LEADERSHIP STAFF.—

(A) IN GENERAL.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

(B) COMPENSATION.—Funds necessary to compensate leadership staff shall be transferred from the funds made available under subsection (c)(3) to the respective account from which such designated staff member is paid.

(4) FOREIGN TRAVEL.—

(A) IN GENERAL.—All foreign travel of the Working Group shall be authorized solely by the majority leader of the Senate and the minority leader of the Senate, upon the recommendation of the Administrative Cochairmen. Participation by Senate staff members in, and access to, all official activities and functions of the Working Group during foreign travel, and access to all classified briefings and information made available to the Working Group during such travel, shall be limited exclusively to Working Group staff members with appropriate clearances.

(B) AUTHORIZATION REQUIRED.—

(i) COMMITTEE STAFF.—No foreign travel or other funding shall be authorized by any committee of the Senate for the use of staff for activities described under this paragraph without the joint written authorization of the majority leader of the Senate and the minority leader of the Senate to the chairman of such committee.

(ii) MEMBER STAFF.—No foreign travel or other funding shall be authorized for the staff of any Member of the Senate, other than Working Group staff, for activities described under this paragraph unless the majority leader of the Senate and the minority leader of the Senate jointly so authorize in writing.

(c) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Working Group shall be paid from the contingent fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the Administrative Cochairmen (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than $500,000 shall be expended for staff and for expenses (excepting expenses incurred for foreign travel), of which not more than $100,000 shall be available for each Administrative Cochairman and the staff of such Administrative Cochairman, and not more than $60,000 shall be available for each Cochairman who is not an Administrative Cochairman and the staff of such Cochairman.

(3) LEADERSHIP STAFF.—In addition to the amounts referred to in paragraph (2), for any fiscal year, not more than $200,000 shall be expended from the contingent fund of the Senate, out of the account of Miscellaneous Items, for leadership staff as designated in subsection (b)(3) for salaries and expenses (excepting expenses incurred for foreign travel).

(d) SUNSET.—The provisions of this section shall remain in effect until December 31, 2016.

SENATE RESOLUTION 65—STRONGLY SUPPORTING THE FULL IMPLEMENTATION OF UNITED STATES AND INTERNATIONAL SANCTIONS ON IRAN AND URGING THE PRESIDENT TO CONTINUE TO STRENGTHEN ENFORCEMENT OF SANCTIONS LEGISLATION

Mr. GRAHAM (for himself, Mr. MENENDEZ, Ms. AYOTTE, Mr. SCHUMER, Mr. CORNYN, Mrs. BOXER, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, Mr. CRAPO, Mr. CARDIN, Ms. COLLINS, Mr. BEGICH, Mr. BLUNT, Mr. BROWN, Mr. WYDEN, Mr. PORTMAN, Mr. MANCHIN, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, ''The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.'';

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, ''This bogus and fake Zionist outgrowth will disappear off the landscape of geography.'';

Whereas, in August 2012, President Ahmadinejad said that ''in the new Middle East . . . there will be no trace of the American presence and the Zionists'';

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the ''most active state sponsor of terrorism'' in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented ''serious concerns regarding possible military dimensions to Iran's nuclear programme,'' and affirmed that information available to the IAEA indicates that ''Iran has carried out activities relevant to the development of a nuclear explosive device'' and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, ''The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.'';

Whereas, on March 4, 2012, President Obama stated, ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.'';

Whereas, on October 22, 2012, President Obama said of Iran, ''The clock is ticking. . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.'';

Whereas, on May 19, 2011, President Obama stated, ''Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.'';

Whereas, on September 21, 2011, President Obama stated, ''America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring.'';

Whereas, on March 4, 2012, President Obama stated, ''And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.'';

Whereas, on October 22, 2012, President Obama stated, ''Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.'';

Whereas, in December 2012, 74 United States Senators wrote to President Obama ''As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.''; and

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in self-defense, the United States Government

should stand with Israel and provide diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

SENATE RESOLUTION 66—DESIGNATING THE FIRST WEEK OF APRIL 2013 AS ''NATIONAL ASBESTOS AWARENESS WEEK''

Mr. BAUCUS (for himself, Mr. TESTER, Mrs. BOXER, Mrs. MURRAY, Mr. REID, Mr. DURBIN, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 66

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer such as mesothelioma and asbestosis and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas, generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for such diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognoses;

Whereas the United States has substantially reduced its consumption of asbestos, yet continues to consume almost 1,100 metric tons of the fibrous mineral for use in certain products throughout the United States;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas exposure to asbestos continues, but safety and prevention of asbestos exposure already have significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of such diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the establishment of a ''National Asbestos Awareness Week'' will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2013 as ''National Asbestos Awareness Week'';

(2) urges the Surgeon General to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

AMENDMENTS SUBMITTED AND PROPOSED

SA 23. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 16, to provide for a sequester replacement; which was ordered to lie on the table.

SA 24. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 388, to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 23. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 16, to provide for a sequester replacement; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—DEPARTMENT OF DEFENSE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $40,157,392,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,989,384,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,529,469,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,053,829,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,341,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,875,598,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $659,621,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,728,505,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of

title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $8,005,077,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,161,765,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,804,145,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $40,479,556,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,894,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $34,983,793,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $31,331,839,000: *Provided*, That not more than $30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this division may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,140,508,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,246,982,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $272,285,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,227,382,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $7,075,042,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,493,155,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,516,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to

be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $720,000,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,414,061,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,429,665,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,687,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,624,380,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,980,209,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,936,358,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,066,919,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $719,154,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $564,371,000;

Virginia Class Submarine, $3,217,601,000;

Virginia Class Submarine (AP), $1,652,557,000;

CVN Refueling Overhaul, $1,613,392,000;

CVN Refueling Overhauls (AP), $70,010,000;

DDG–1000 Program, $669,222,000;

DDG–51 Destroyer, $4,048,658,000;

DDG–51 Destroyer (AP), $466,283,000;

Littoral Combat Ship, $1,784,959,000;

LPD–17 (AP), $263,255,000;

Joint High Speed Vessel, $189,196,000;

Moored Training Ship, $307,300,000;

LCAC Service Life Extension Program, $85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, $309,648,000.

Completion of Prior Year Shipbuilding Programs, $372,573,000.

In all: $15,614,855,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $6,170,286,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,334,448,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,260,646,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,913,276,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $593,194,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,008,348,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,692,685,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $189,189,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $8,427,588,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $16,646,307,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $25,374,286,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic

and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,419,129,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, $200,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $223,768,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,240,788,000; of which $30,707,349,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2014, and of which up to $15,954,952,000 may be available for contracts entered into under the TRICARE program; of which $506,462,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which $1,026,977,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,301,786,000, of which $635,843,000 shall be for operation and maintenance, of which no less than $53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $22,214,000 for activities on military installations and $31,734,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015, of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which $627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,138,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this division.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $332,921,000, of which $331,921,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which $1,000,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $542,346,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this division shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this division shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this division which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $5,000,000,000 of working capital funds of the Department of Defense or funds made available in this division to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*,

That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this division: *Provided further*, That no part of the funds in this division shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled ''Committee Recommended Adjustments'' in the explanatory statement regarding this division, the obligation and expenditure of amounts appropriated or otherwise made available in this division for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this division.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this division: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this division, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this division, none of the funds provided in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this division, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this division may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. (a) None of the funds provided in this division shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this division shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this division shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this division: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this division may be used for a multiyear contract executed after the date of the enactment of this division unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this division may be used for a multiyear procurement contract as follows:

F/A–18E, F/A–18F, and EA–18G aircraft; up to 10 DDG–51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN–774 Virginia class submarine and government-furnished equipment; CH–47 Chinook helicopter; and V–22 Osprey aircraft variants.

(b) The Secretary of Defense may employ incremental funding for the procurement of Virginia class submarines and government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary of Defense:

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this division shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this division shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund

when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this division for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this division solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this division.

SEC. 8016. None of the funds in this division may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this division shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this division, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this division for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this division, not less than $38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,404,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $9,298,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $932,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this division are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this division.

SEC. 8025. For the purposes of this division, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating

against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this division shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this division for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this division for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this division may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this division, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this division shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this division may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this division may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. (a) None of the funds appropriated by this division shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a

most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Shipbuilding and Conversion, Navy, 2007/2018'': DDG–51 Destroyer, $98,400,000;

''Shipbuilding and Conversion, Navy, 2007/2018'': DDG–51 Destroyer Advance Procurement, $2,500,000;

''Shipbuilding and Conversion, Navy, 2007/2018'': CVN Refueling Overhaul, $14,100,000;

''Procurement of Ammunition, Army, 2011/2013'', $4,500,000;

''Other Procurement, Army, 2011/2013'', $114,848,000;

''Aircraft Procurement, Navy, 2011/2013'', $13,760,000;

''Shipbuilding and Conversion, Navy, 2011/2015'': DDG–51 Destroyer, $215,300,000;

''Weapons Procurement, Navy, 2011/2013'', $21,086,000;

''Aircraft Procurement, Air Force, 2011/2013'', $93,400,000;

''Missile Procurement, Air Force, 2011/2013'', $8,709,000;

''Other Procurement, Air Force, 2011/2013'', $9,500,000;

''Operation and Maintenance, Defense Wide, 2012/XXXX'', $21,000,000;

''Aircraft Procurement, Army, 2012/2014'', $47,400,000;

''Other Procurement, Army, 2012/2014'', $99,608,000;

''Aircraft Procurement, Navy, 2012/2014'', $4,640,000;

''Shipbuilding and Conversion, Navy, 2012/2016'': Littoral Combat Ship, $28,800,000;

''Shipbuilding and Conversion, Navy, 2012/2016'': DDG–51 Destroyer, $83,000,000;

''Weapons Procurement, Navy, 2012/2014'', $25,015,000;

''Other Procurement, Navy, 2012/2014'', $4,800,000;

''Procurement of Ammunition, Navy and Marine Corps, 2012/2014'', $50,703,000;

''Procurement, Marine Corps, 2012/2014'', $135,331,000;

''Aircraft Procurement, Air Force, 2012/2014'', $581,699,000;

''Missile Procurement, Air Force, 2012/2014'', $45,898,000;

''Other Procurement, Air Force, 2012/2014'', $55,800,000;

''Procurement, Defense Wide, 2012/2014'', $16,000,000;

''Research, Development, Test and Evaluation, Army, 2012/2013'', $8,000,000;

''Research, Development, Test and Evaluation, Navy, 2012/2013'', $245,254,000;

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $56,704,000.

SEC. 8041. None of the funds available in this division may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this division may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this division for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this division may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this division may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this division may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this division to the jurisdiction of another Federal agency not financed by this division without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the

United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this division shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this division under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this division or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this division may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this division under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this division.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this division may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this division shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this division under the heading ''Operation and Maintenance, Army'', $133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed $200,000,000 from funds available under ''Operation and Maintenance, Defense-Wide'' may be transferred to the Department of State ''Global Security Contingency Fund'': *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State ''Global Security Contingency Fund'', notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this division under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, $74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this division.

SEC. 8070. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C–130 and KC–135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this division under the heading ''Shipbuilding and Conversion, Navy'', $372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading ''Shipbuilding and Conversion, Navy, 2007/2013'': LHA Replacement Program $156,685,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy, 2008/2013'': LPD–17 Amphibious Transport Dock Program $80,888,000; and

(3) Under the heading ''Shipbuilding and Conversion, Navy, 2009/2013'': CVN Refueling Overhauls Program $135,000,000.

SEC. 8072. Funds appropriated by this division, or made available by the transfer of funds in this division, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8073. None of the funds provided in this division shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8074. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this division may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this division, $20,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the

Secretary of Defense that it shall serve the national interest, he shall make grants in the amount specified as follows: $20,000,000 to the United Service Organizations.

SEC. 8077. None of the funds appropriated or made available in this division shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this division: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8078. None of the funds provided in this division shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this division.

SEC. 8081. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8082. (a) None of the funds appropriated by this division may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8083. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8084. None of the funds appropriated by this division for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8085. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this division under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $10,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $5,000,000 in any fiscal year, the R–1, Research, Development, Test and Evaluation Program; R–2, Research, Development, Test and Evaluation Budget Item Justification; R–3, Research, Development, Test and Evaluation Project Cost Analysis; and R–4, Research, Development, Test and Evaluation Program Schedule Profile.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Notwithstanding any other provision of law, the Secretary of the Army may use up to $25,000,000 of funds appropriated for Operation and Maintenance, Army in this division for real property maintenance and repair projects and activities at Arlington National Cemetery.

SEC. 8088. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this division, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this division for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this division for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this division, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or

any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8097. None of the funds made available under this division may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this division, up to $139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. (a) In this section the term ''conference'' has the meaning given that term under section 300-3.1 of title 41, Code of Federal Regulations, or any successor thereto.

(b) A grant or contract funded by amounts made available under this division may not be used for the purpose of defraying the cost of a conference that is not directly and programmatically related to the purpose of the program under which the grant or contract was awarded.

(c)(1) Except as provided in paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than $100,000 using amounts made available under this division, unless the Deputy Secretary of Defense approves sponsoring or hosting the conference.

(2)(A) Except as provided in subparagraph (B) or paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than $500,000 using amounts made available under this division.

(B) The Deputy Secretary of Defense may waive the prohibition under subparagraph (A) if the Deputy Secretary determines that it is in the interest of national security to spend more than $500,000 on a conference.

(3) For purposes of a conference sponsored or hosted by the Office of the Inspector General of the Department of Defense, the Inspector General shall discharge the authorities and responsibilities of the Deputy Secretary of Defense under this subsection.

(d) Not later than October 31, 2013, the Deputy Secretary of Defense shall provide a publicly available report of all Department-sponsored conferences during fiscal year 2013 where the cost to the Department is more than $100,000 using amounts made available under this division, which—

(1) shall include, for each such conference—

(A) the cost of the conference to the Department of Defense;

(B) the location of the conference;

(C) the date of the conference;

(D) a brief explanation of how the conference advanced the mission of the Department of Defense;

(E) the total number of individuals whose travel expenses or other conference expenses were paid by the Department of Defense; and

(F) any waiver made under subsection (c)(2)(B); and

(2) shall not include any confidential or similarly sensitive information.

SEC. 8100. None of the funds appropriated or otherwise made available by this division may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8102. Of the amounts appropriated for ''Operation and Maintenance, Defense-Wide'', $106,482,000 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for this purpose, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the ''Ship Modernization, Operations and Sustainment Fund''. There is appropriated $2,382,100,000, for the ''Ship Modernization, Operations and Sustainment Fund'', to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the ''Ship Modernization, Operations and Sustainment Fund'' to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–68, CG–69, CG–73, and the Whidbey Island-class dock landing ships LSD–41 and LSD–46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the ''Ship Modernization, Operations and Sustainment Fund'', notify the congressional defense committees in writing of the details of such transfer.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Of the amounts made available in this division under the heading ''Operation and Maintenance, Defense-Wide'', there is appropriated $51,000,000, to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*,

That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8105. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8106. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantánamo'' means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8107. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8108. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8109. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8110. The Secretary of the Air Force shall obligate and expend funds previously

appropriated for the procurement of RQ–4B Global Hawk and C–27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8111. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $869,625,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,623,356,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force''$25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $30,578,256,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $6,968,812,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $4,108,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $9,291,493,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $8,274,052,000: *Provided,* That of the funds provided under this heading, not to exceed $1,750,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further,* That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further,* That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $154,537,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $120,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $382,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $19,975,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Infrastructure Fund'', $350,000,000, to remain available until

September 30, 2014: *Provided*, That such sums shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the ''appropriate committees of Congress'' are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $5,149,167,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $1,140,294,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $326,193,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $2,284,190,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $426,436,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $23,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $284,356,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $865,977,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $395,327,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,684,470,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $362,749,000, to remain

available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $42,357,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,467,864,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $1,514,114,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Infrastructure Fund'', or the ''Afghanistan Security Forces Fund'' provided in this division and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $200,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift

and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this division may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the ''Afghanistan Infrastructure Fund'' (AIF) and any project in excess of $5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. Notwithstanding any other provision of law, up to $93,000,000 of funds made available in this title under the heading ''Operation and Maintenance, Army'' may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance, Air Force'' up to $508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel to address gaps in capability of such personnel to manage defense-related institutions and integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and counter-terrorism: *Provided further*, That not later than October 30, 2012, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training and assisting activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

''Other Procurement, Army, 2012/2014'', $207,600,000;

''Mine Resistant Ambush Protected Vehicle Fund, 2012/2013'', $400,000,000;

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $58,000,000;

''Afghanistan Security Forces Fund, 2012/2013'', $1,000,000,000;

''Joint Improvised Explosive Device Defeat Fund, 2012/2014'', $40,300,000.

This division may be cited as the ''Department of Defense Appropriations Act, 2013''.

SA 24. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 388, to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION B—DEPARTMENT OF DEFENSE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $40,157,392,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,989,384,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,529,469,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,053,829,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with

performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,341,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,875,598,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $659,621,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,728,505,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $8,005,077,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,161,765,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,804,145,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $40,479,556,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,894,963,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $34,983,793,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $31,331,839,000: *Provided*, That not more than $30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $36,480,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this division may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,140,508,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,246,982,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $272,285,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,227,382,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $7,075,042,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of

things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,493,155,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,516,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $287,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this division.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $720,000,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,414,061,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,429,665,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,687,823,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement

and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,624,380,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,980,209,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,936,358,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,066,919,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $719,154,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $564,371,000;

Virginia Class Submarine, $3,217,601,000;

Virginia Class Submarine (AP), $1,652,557,000;

CVN Refueling Overhaul, $1,613,392,000;

CVN Refueling Overhauls (AP), $70,010,000;

DDG–1000 Program, $669,222,000;

DDG–51 Destroyer, $4,048,658,000;

DDG–51 Destroyer (AP), $466,283,000;

Littoral Combat Ship, $1,784,959,000;

LPD–17 (AP), $263,255,000;

Joint High Speed Vessel, $189,196,000;

Moored Training Ship, $307,300,000;

LCAC Service Life Extension Program, $85,830,000; and

For outfitting, post delivery, conversions, and first destination transportation, $309,648,000.

Completion of Prior Year Shipbuilding Programs, $372,573,000.

In all: $15,614,855,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $6,170,286,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,334,448,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,260,646,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,913,276,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $593,194,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,008,348,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests

therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,692,685,000, to remain available for obligation until September 30, 2015.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $189,189,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $8,427,588,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $16,646,307,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $25,374,286,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,419,129,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, $200,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $223,768,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $697,840,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,240,788,000; of which $30,707,349,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2014, and of which up to $15,954,952,000 may be available for contracts entered into under the TRICARE program; of which $506,462,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which $1,026,977,000, to remain available for obligation until September 30, 2014, shall be for research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,301,786,000, of which $635,843,000 shall be for operation and maintenance, of which no less than $53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $22,214,000 for activities on military installations and $31,734,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015, of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which $627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,138,263,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this division.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $332,921,000, of which $331,921,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which $1,000,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $542,346,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this division shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of

compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this division shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this division which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $5,000,000,000 of working capital funds of the Department of Defense or funds made available in this division to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this division: *Provided further*, That no part of the funds in this division shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled ''Committee Recommended Adjustments'' in the explanatory statement regarding this division, the obligation and expenditure of amounts appropriated or otherwise made available in this division for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this division.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this division: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this division, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this division, none of the funds provided in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this division, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this division may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. (a) None of the funds provided in this division shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this division shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this division shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this division: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this division may be used for a multiyear contract executed after the date of the enactment of this division unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this division may be used for a multiyear procurement contract as follows:

F/A–18E, F/A–18F, and EA–18G aircraft; up to 10 DDG–51 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels; SSN–774 Virginia class submarine and government-furnished equipment; CH–47 Chinook helicopter; and V–22 Osprey aircraft variants.

(b) The Secretary of Defense may employ incremental funding for the procurement of Virginia class submarines and government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary of Defense:

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10,

United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this division shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this division shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this division for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this division solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this division.

SEC. 8016. None of the funds in this division may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this division shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this division, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this division for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this division, not less than $38,634,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,404,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $9,298,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $932,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this division are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this division shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this division.

SEC. 8025. For the purposes of this division, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this division shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this division for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this division for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this division may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this division, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this division shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this division may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. None of the funds made available in this division may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8039. (a) None of the funds appropriated by this division shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Shipbuilding and Conversion, Navy, 2007/2018'': DDG–51 Destroyer, $98,400,000;

''Shipbuilding and Conversion, Navy, 2007/2018'': DDG–51 Destroyer Advance Procurement, $2,500,000;

''Shipbuilding and Conversion, Navy, 2007/2018'': CVN Refueling Overhaul, $14,100,000;

''Procurement of Ammunition, Army, 2011/2013'', $4,500,000;

''Other Procurement, Army, 2011/2013'', $114,848,000;

''Aircraft Procurement, Navy, 2011/2013'', $13,760,000;

''Shipbuilding and Conversion, Navy, 2011/2015'': DDG–51 Destroyer, $215,300,000;

''Weapons Procurement, Navy, 2011/2013'', $21,086,000;

''Aircraft Procurement, Air Force, 2011/2013'', $93,400,000;

''Missile Procurement, Air Force, 2011/2013'', $8,709,000;

''Other Procurement, Air Force, 2011/2013'', $9,500,000;

''Operation and Maintenance, Defense Wide, 2012/XXXX'', $21,000,000;

''Aircraft Procurement, Army, 2012/2014'', $47,400,000;

''Other Procurement, Army, 2012/2014'', $99,608,000;

''Aircraft Procurement, Navy, 2012/2014'', $4,640,000;

''Shipbuilding and Conversion, Navy, 2012/2016'': Littoral Combat Ship, $28,800,000;

''Shipbuilding and Conversion, Navy, 2012/2016'': DDG–51 Destroyer, $83,000,000;

''Weapons Procurement, Navy, 2012/2014'', $25,015,000;

''Other Procurement, Navy, 2012/2014'', $4,800,000;

''Procurement of Ammunition, Navy and Marine Corps, 2012/2014'', $50,703,000;

''Procurement, Marine Corps, 2012/2014'', $135,331,000;

''Aircraft Procurement, Air Force, 2012/2014'', $581,699,000;

''Missile Procurement, Air Force, 2012/2014'', $45,898,000;

''Other Procurement, Air Force, 2012/2014'', $55,800,000;

''Procurement, Defense Wide, 2012/2014'', $16,000,000;

''Research, Development, Test and Evaluation, Army, 2012/2013'', $8,000,000;

''Research, Development, Test and Evaluation, Navy, 2012/2013'', $245,254,000;

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $56,704,000.

SEC. 8041. None of the funds available in this division may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this division may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this division for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this division may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this division may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of

domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this division may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this division to the jurisdiction of another Federal agency not financed by this division without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this division shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this division under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this division or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this division may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this division may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to

the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this division under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this division.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this division may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this division shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this division under the heading ''Operation and Maintenance, Army'', $133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed $200,000,000 from funds available under ''Operation and Maintenance, Defense-Wide'' may be transferred to the Department of State ''Global Security Contingency Fund'': *Provided*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State ''Global Security Contingency Fund'', notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this division under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $479,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $211,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $39,200,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, $74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this division.

SEC. 8070. (a) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet.

(b) None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give United States Transportation Command operational and administrative control of C–130 and KC–135 forces assigned to the Pacific and European Air Force Commands.

(c) The command and control relationships in subsections (a) and (b) which existed on March 13, 2011, shall remain in force unless changes are specifically authorized in a subsequent Act.

(d) This subsection does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this division under the heading ''Shipbuilding and Conversion, Navy'', $372,573,000 shall be available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading ''Shipbuilding and Conversion, Navy, 2007/2013'': LHA Replacement Program $156,685,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy, 2008/2013'': LPD–17 Amphibious Transport Dock Program $80,888,000; and

(3) Under the heading ''Shipbuilding and Conversion, Navy, 2009/2013'': CVN Refueling Overhauls Program $135,000,000.

SEC. 8072. Funds appropriated by this division, or made available by the transfer of funds in this division, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8073. None of the funds provided in this division shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8074. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this division may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this division, $20,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amount specified as follows: $20,000,000 to the United Service Organizations.

SEC. 8077. None of the funds appropriated or made available in this division shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this division: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8078. None of the funds provided in this division shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this division.

SEC. 8081. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8082. (a) None of the funds appropriated by this division may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8083. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8084. None of the funds appropriated by this division for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8085. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this division under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $10,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $5,000,000 in any fiscal year, the R–1, Research, Development, Test and Evaluation Program; R–2, Research, Development, Test and Evaluation Budget Item Justification; R–3, Research, Development, Test and Evaluation Project Cost Analysis; and R–4, Research, Development, Test and Evaluation Program Schedule Profile.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. Notwithstanding any other provision of law, the Secretary of the Army may use up to $25,000,000 of funds appropriated for Operation and Maintenance, Army in this division for real property maintenance and repair projects and activities at Arlington National Cemetery.

SEC. 8088. (a) Not later than 60 days after enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this division shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided*

further, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8090. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this division, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this division for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this division for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this division, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this division may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8097. None of the funds made available under this division may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this division, up to $139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. (a) In this section the term ''conference'' has the meaning given that term under section 300-3.1 of title 41, Code of Federal Regulations, or any successor thereto.

(b) A grant or contract funded by amounts made available under this division may not be used for the purpose of defraying the cost of a conference that is not directly and programmatically related to the purpose of the program under which the grant or contract was awarded.

(c)(1) Except as provided in paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than $100,000 using amounts made available under this division, unless the Deputy Secretary of Defense approves sponsoring or hosting the conference.

(2)(A) Except as provided in subparagraph (B) or paragraph (3), the Department of Defense may not sponsor or host a conference for which the cost to the Department is expected to be more than $500,000 using amounts made available under this division.

(B) The Deputy Secretary of Defense may waive the prohibition under subparagraph (A) if the Deputy Secretary determines that it is in the interest of national security to spend more than $500,000 on a conference.

(3) For purposes of a conference sponsored or hosted by the Office of the Inspector General of the Department of Defense, the Inspector General shall discharge the authorities and responsibilities of the Deputy Secretary of Defense under this subsection.

(d) Not later than October 31, 2013, the Deputy Secretary of Defense shall provide a publicly available report of all Department-sponsored conferences during fiscal year 2013 where the cost to the Department is more than $100,000 using amounts made available under this division, which—

(1) shall include, for each such conference—

(A) the cost of the conference to the Department of Defense;

(B) the location of the conference;

(C) the date of the conference;

(D) a brief explanation of how the conference advanced the mission of the Department of Defense;

(E) the total number of individuals whose travel expenses or other conference expenses were paid by the Department of Defense; and

(F) any waiver made under subsection (c)(2)(B); and

(2) shall not include any confidential or similarly sensitive information.

SEC. 8100. None of the funds appropriated or otherwise made available by this division may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8102. Of the amounts appropriated for ''Operation and Maintenance, Defense-Wide'', $106,482,000 shall be available to the Secretary of Defense, notwithstanding any other provision of law, acting through the

Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam, for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for this purpose, notify the congressional defense committees in writing of the details of any such obligation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8103. There is hereby established in the Treasury of the United States the ''Ship Modernization, Operations and Sustainment Fund''. There is appropriated $2,382,100,000, for the ''Ship Modernization, Operations and Sustainment Fund'', to remain available until September 30, 2014: *Provided*, That the Secretary of the Navy shall transfer funds from the ''Ship Modernization, Operations and Sustainment Fund'' to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–68, CG–69, CG–73, and the Whidbey Island-class dock landing ships LSD–41 and LSD–46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the ''Ship Modernization, Operations and Sustainment Fund'', notify the congressional defense committees in writing of the details of such transfer.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Of the amounts made available in this division under the heading ''Operation and Maintenance, Defense-Wide'', there is appropriated $51,000,000, to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8105. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8106. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantánamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantánamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantánamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantánamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantánamo'' means any individual located at United States Naval Station, Guantánamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8107. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8108. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8109. None of the funds made available by this division may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8110. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ–4B Global Hawk and C–27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8111. It is the Sense of the Senate that the next available capital warship of the U.S. Navy be named the USS Ted Stevens to recognize the public service achievements, military service sacrifice, and undaunted heroism and courage of the long-serving United States Senator for Alaska.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $9,790,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $869,625,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,623,356,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,286,783,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force''$25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $30,578,256,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $6,968,812,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $4,108,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $9,291,493,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $8,274,052,000: *Provided*, That of the funds provided under this heading, not to exceed $1,750,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom and post-operation Iraq border security related to the activities of the Office of Security Cooperation in Iraq, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount in this section is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $154,537,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $120,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $382,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $19,975,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Infrastructure Fund'', $350,000,000, to remain available until September 30, 2014: *Provided*, That such sums shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the ''appropriate committees of Congress'' are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $5,149,167,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $1,140,294,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $67,951,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $326,193,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $2,284,190,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $426,436,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $23,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine

Corps'', $284,356,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $865,977,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $395,327,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,684,470,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $362,749,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $42,357,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $52,519,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $112,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,467,864,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $993,898,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $1,514,114,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Infrastructure Fund'', or the ''Afghanistan Security Forces Fund'' provided in this division and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $200,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this division may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the ''Afghanistan Infrastructure Fund'' (AIF) and any project in excess of $5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. Notwithstanding any other provision of law, up to $93,000,000 of funds made available in this title under the heading ''Operation and Maintenance, Army'' may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance, Air Force'' up to $508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2013, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel to address gaps in capability of such personnel to manage defense-related institutions and integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and counter-terrorism: *Provided further*, That not later than October 30, 2012, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training and assisting activities that they determine are needed after the end of fiscal year 2013, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation Iraq at each site where such operations and activities will be conducted during fiscal year 2013.

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

''Other Procurement, Army, 2012/2014'', $207,600,000;

''Mine Resistant Ambush Protected Vehicle Fund, 2012/2013'', $400,000,000;

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $58,000,000;

''Afghanistan Security Forces Fund, 2012/2013'', $1,000,000,000;

''Joint Improvised Explosive Device Defeat Fund, 2012/2014'', $40,300,000.

This division may be cited as the ''Department of Defense Appropriations Act, 2013''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 28, 2013, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and

Urban Affairs be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., to conduct a hearing entitled ''Addressing FHA's Financial Condition and Program Challenges, Part II.''

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 28, 2013, at 10:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Delivery System Reform: Progress Report from CMS.''

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 28, 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.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 28, 2013.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on February 28, 2013, at 10 a.m., in room SD–G50 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 28, 2013, at 2:30 p.m.

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

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I see our distinguished majority leader on the floor. I will yield to him.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I appreciate very much my friend from Iowa allowing me to proceed.

I would just note for the record that I have only had two U.S. Senators visit me in my home in Searchlight. He is one of them.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that on Monday, March 4, 2013, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 15 and 16; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that 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.

UNANIMOUS CONSENT AGREEMENT—S. RES. 64

Mr. REID. Madam President, I ask unanimous consent that on Tuesday, March 5, at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 20, S. Res. 64; that the only amendment in order to the resolution be a Paul amendment striking provisions relative to the National Security Working Group; that there be up to 30 minutes of debate equally divided in the usual form on the Paul amendment; that upon the use or yielding back of that time, the Senate proceed to vote on the Paul amendment; that upon disposition of the Paul amendment, the Senate proceed to vote on adoption of the resolution, as amended, if amended.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: the Honorable ROGER WICKER of Mississippi.

ORDERS FOR MONDAY, MARCH 4, 2013

Mr. REID. I ask unanimous consent that when the Senate complete its business today, it adjourn until 2 p.m. on Monday, March 4, 2013; that following the prayer and pledge, the morning hour be deemed expired, the journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to a period of morning business until 5 p.m., with Senators permitted to speak up to 10 minutes each; further, that following morning business, the Senate proceed to executive session under the previous order.

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

PROGRAM

Mr. REID. Mr. President, at 5:30 p.m. on Monday, there will be up to two rollcall votes on confirmation of the Chen and Failla nominations, both U.S. district judge nominees for New York.

ORDER FOR ADJOURNMENT

Mr. REID. Madam President, there being no further business to come before the Senate, I ask unanimous consent that following the statement of the distinguished Senator from Iowa, Mr. HARKIN, the Senate stand adjourned under the previous order.

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

The Senator from Iowa.

SEQUESTRATION

Mr. HARKIN. Madam President, we are now on the eve of the so-called sequester. Tomorrow, March 1, Federal agencies will begin making $85 billion in arbitrary, destructive budget cuts—cuts that economists tell us will damage our fragile economy and cost nearly 1 million jobs. This is a shame and it is shameful. This is yet another self-inflicted wound to our economy, and it is completely unnecessary.

For months, President Obama and Democrats in Congress have urged Republicans to join with us in negotiating a balanced package of spending cuts and revenue increases to head off this sequester. Regrettably, we have run up against the same old response from our Republican colleagues: obstruction, obstruction, obstruction—an adamant refusal to compromise. They reject the very idea of a balanced approach, insisting that all deficit reduction must come exclusively from cuts to spending and investment. Since they have not gotten their way, they are now willing to allow all the destructive impacts of the sequester to happen.

Think about it, because it really is breathtaking. Republicans would rather allow our economy to lose up to a million jobs than to close a tax loophole that pays companies to move American jobs to foreign countries. They would rather risk jolting the economy back into recession than to close a tax loophole that allows hedge fund managers making hundreds of millions of dollars a year to pay a lower tax rate than middle-class families. It really is breathtaking.

I am deeply concerned about the arbitrary cuts to programs that undergird the middle class in this country—everything from medical research to

education to food and drug safety. Earlier this week, the Director of the National Institutes of Health, Dr. Francis Collins, warned that the sequester would slash $1.6 billion from NIH's budget, directly damaging ongoing research into cancer, Alzheimer's, and other diseases.

Funding for special education would also suffer deep cuts, eliminating Federal support for more than 7,200 teachers, aides, and other staff who support our students with disabilities.

Funding for food safety would be severely impacted, resulting in thousands of fewer inspections, a slowdown in meat processing, costing jobs and endangering the safety of the public. The Food Safety and Inspection Service may have to furlough all employees for approximately 2 weeks, which could close down or severely restrict meatpacking plants around the country.

The list of destructive budget cuts goes on and on, and what many people may not understand is that these are just the latest cuts to spending and investment.

Over the past 2 years, the President and Congress have already agreed to $1.4 trillion in spending cuts, all from the discretionary side of the budget. These have been very dramatic spending reductions.

As I said earlier today, when we hear the Speaker of the House say: Well, since the first of the year, we have given on revenues but we have not had any spending cuts—he says: No more revenues, just spending cuts because we have already done the revenues—well, you see what he is doing is he is drawing an arbitrary starting line. His starting line is the first of this year. But you have to go back a year and a half to the Budget Control Act when, beginning with that, this Congress made $1.4 trillion in spending cuts—$1.4 trillion—and in January we did $700 billion in revenues. So we are still $2 in cuts for every $1 in revenue. Yet the Speaker says we should have no more revenues, all spending cuts, to get up to our $4 trillion that is needed to stabilize our debt in this country. So that means he wants to have another $2.6—well, let me think about that; I have to add it up—it would be $1.9 trillion more in spending cuts.

Think about that, and think about it in terms of just one area that I know about firsthand in my capacity as chair of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. That subcommittee has jurisdiction over spending, for example, at the National Institutes of Health. Over the last 2 years, Congress has completely eliminated 65 programs under that jurisdiction, totaling $1.3 billion. What that means is no more funding for education technology, $100 million; no more funding for civic education, $35 million; no more funding for creating smaller learning communities in high schools, another $88 million.

LIHEAP, the Low Income Home Energy Assistance Program, has been cut by $1.6 billion. That is a 30-percent cut—a 30-percent cut. That cut eliminates home heating and cooling assistance for 1.5 million low-income and elderly households in this country. That has already been done. Now the Speaker wants to do more. Maybe he wants to eliminate the entire LIHEAP program.

The administration's signature education initiative, Race to the Top, has been cut by $150 million. That is a 20-percent cut—already, a 20-percent cut. That is what we have done already. If we cut any more, you are really going to be destroying education initiatives in this country.

How about lead poisoning, childhood lead poisoning. It has been cut by 93 percent, from $29 million a year down to $2 million, meaning that the Centers for Disease Control and Prevention no more has any funding to test children for lead poisoning. And we know that if you get kids early, you can stop the deteriorating effects of lead poisoning. But now we are not even going to be testing these kids anymore.

National programs to keep our schools safe and drug free have been cut by two-thirds, from $191 million to $65 million.

As I said, national programs that keep schools safe and drug free are cut by two-thirds. I wonder how many people know that. I wonder how many people know we cut that already by two-thirds.

Again, this list goes on and on with deep cuts to vital programs. I wish to emphasize, these are the cuts we have already made in the last 2 years. The sequester will cut them even further.

Fighting childhood lead poisoning, which we know continues on in this country, we know how it destroys kids and their future growth, and we know early intervention can alleviate that. Yet it has been cut by 93 percent. What are we going to do, cut it by another 7 percent? We just will not have any efforts at all to test kids for lead poisoning early on. The sequester will have very real consequences for the economy and for our society.

Finally, let me step back and put our discussion of this sequester in a broader perspective. By all means, we need to reduce deficits further, especially in the longer term. But I have questioned repeatedly the sort of obsessive, exclusive, almost borderline hysterical focus on budget deficits. Meanwhile, we are neglecting other urgent national priorities. How about the jobs deficit, the deficit in our investment in our infrastructure, the deficit in our investment in a strong, growing, middle class?

What we need is an approach to the budget that addresses all of these—reducing budget deficits, yes, but doing it in a way that allows us to strengthen the middle class and lay the foundation for future economic growth.

We also need to look at the demographic projectory of our country as well as the challenges posed by globalization. Our Nation is growing older with the retiring baby boomers. This will dramatically increase government costs for health care and other services. We are also now in a global economy competing not only in manufacturing but also in a growing range of services, from telemarketing to the reading of medical MRIs. In order to compete successfully and keep quality jobs in the United States, we need to invest robustly both in a 21st century infrastructure, as well as in a system of education and training that equips our young people and workers for the jobs of the future.

In this broader context, what is the best way to address the resulting deficits? Do we just slash spending for education, slash spending for infrastructure, slash spending for research and discovery, sacrificing the investments we will need to grow our economy in the decades ahead? Do we just allow this destructive sequester to kick in, costing us jobs, cutting vital supports for middle-class Americans?

These are the destructive budget options which will take effect starting tomorrow if we fail to act. This is why I come to the floor, at the eleventh hour, to plead one final time for a compromise and common sense from Republicans. Yes, I am here to plead for some common sense, some compromise from Republican leadership.

There are plenty of areas where we can cut spending without seriously harming the economy. There are plenty of commonsense options for raising revenue without lifting tax rates or hurting the middle class.

It is still possible for Senators to come together, but that may only happen if we have some willingness to compromise on the Republican side.

When the Speaker says absolutely no more revenue, how do you compromise with that? We know from the polling data that the vast majority of the American people, 60, 70 percent, believe we should have a balanced approach, both in revenues and in cutting spending.

We have reached out our hand in an effort to shake hands with the Republicans. They have not reciprocated by reaching out their hand to close the deal.

It is still possible, but it is only possible if the other side is willing to make some compromises. Time is short. I urge colleagues to put ideology and this partisanship aside, stop this sequester, tackle these budget deficits in a way that allows us to invest in a growing economy and a stronger middle class.

A lot of people say if the sequester kicks in, people aren't going to feel it right away. Well, maybe not tomorrow night, maybe not even Saturday or Sunday. We will beginning next week, when the Food Safety and Inspection Service starts furloughing people and we begin fewer inspections and maybe the week after that when our air traffic

controllers begin to be furloughed because they don't have enough money and air traffic begins to slow down in New York and Chicago and Washington, DC, and Atlanta.

It is always true that in times such as these, when we have these kinds of crises facing us, who gets hurt first and the most are the people at the bottom rung of the ladder, kids with disabilities, families who need some heating assistance in the middle of the winter, elderly people who may need some Meals On Wheels delivered to their homes.

These are always the people who get hit first and the hardest. We can't forget our societal obligations as a Congress to make sure their needs are met also. We can't turn a blind eye and a deaf ear to the needs of people in our society who don't have anything anyway. We can't throw them out in the cold. We can't let our children be denied Head Start programs or adequate child care programs. This is not befitting a great and wonderful society such as America.

I am hopeful with a meeting in the White House tomorrow—as I know it is not just a photo opportunity—we will hear from the Speaker of the House that, yes, we need a balanced approach, and we are willing to take that balanced approach. If they do that, we can get this settled within the next few days and then move ahead.

So that is my hope for tomorrow. And I hope, again, we will see some forthcoming on the part of Republicans that they are indeed willing to compromise.

Madam President, I yield the floor.

ADJOURNMENT UNTIL MONDAY, MARCH 4, 2013, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday.

Thereupon, the Senate, at 6:31 p.m., adjourned until Monday, March 4, 2013, at 2 p.m.

EXTENSIONS OF REMARKS

HONORING THE VICTIMS OF SUMGAIT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SCHIFF. Mr. Speaker, this week marks the twenty–fifth anniversary of the pogrom against people of Armenian descent in the town of Sumgait, Azerbaijan. The three–day massacre in the winter of 1988 resulted in the deaths of scores of Armenians, many of whom were burnt to death after being brutally beaten and tortured. Hundreds of others were wounded. Women and girls were brutally raped. The carnage created thousands of ethnic Armenian refugees, who had to leave everything behind to be looted or destroyed, including their homes, cars and businesses.

These crimes, which were proceeded by a wave of anti–Armenian rallies throughout Azerbaijan, were never adequately prosecuted by Azerbaijan authorities. Many who organized or participated in the bloodshed have gone on to serve in high positions on the Azeri government. For example, in the days leading up to the massacre, a leader of the Communist Party of Azerbaijan, Hidayat Orujev, warned Armenians in Sumgait: ''If you do not stop campaigning for the unification of Nagorno Karabakh with Armenia, if you don't sober up, 100,000 Azeris from neighboring districts will break into your houses, torch your apartments, rape your women, and kill your children.'' In a cruel twist, Orujev went on serve as Azerbaijan's State Advisor for Ethnic Policy and later as head of State Committee for Work with Religious Organizations.

The Sumgait massacres led to wider reprisals against Azerbaijan's ethnic minority, resulting in the virtual disappearance of Azerbaijan's 450,000–strong Armenian community, and culminating in the war launched against the people of Nagorno Karabakh. That war resulted in almost 30,000 dead on both sides and created more than one million refugees in both Armenia and Azerbaijan.

In the years since the fighting ended, the people of Artsakh, the region's ancestral name, have struggled to build a functioning democratic state in the midst of unremitting hostility and threats from Azerbaijan, as well as sniper fire and other incursions across the Line of Contact between the two sides. Hatred towards Armenians is both inculcated and celebrated in Azeri youth, as exemplified by the case of Ramil Safarov, an Azerbaijani army captain who had confessed to the savage 2004 axe murder of Armenian army lieutenant Gurgen Margaryan, while the latter slept. At the time, the two were participating in a NATO Partnership for Peace exercise in Budapest, Hungary. After the murder, Safarov was sentenced to life in prison by a Hungarian court and imprisoned in Hungary.

Last August Safarov was sent home to Azerbaijan, purportedly to serve out the remainder of his sentence. Instead of prison, he was greeted as a hero by the Azeri government and promenaded through the streets of Baku carrying a bouquet of roses. President Ilham Aliyev immediately pardoned Safarov and he was promoted to the rank of major and given a new apartment and eight years of back pay.

In recent weeks, 75–year–old Akram Aylisli, one of Azerbaijan's most celebrated writers, has been subjected to a campaign of hatred. According to a report in the BBC, '[h]is books have been publicly burnt. He has been stripped of his national literary awards. And a high–ranking Azeri politician has offered $13,000 as a bounty for anyone who will cut off his ear. Aylisi's 'crime?'— in his short novel Stone Dreams, he dared to look at the conflict between Azeris and Armenians from the Armenian perspective.

With these disgusting acts, the Azeri state reminded the whole world why the people of Artsakh must be allowed to determine their own future and cannot be allowed to slip into Aliyev's clutches, lest the carnage of Sumgait a quarter century ago serve as a foreshadowing of a greater slaughter.

HAPPY 80TH BIRTHDAY, MRS. BETTY HECHLINSKI

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mrs. WALORSKI. Mr. Speaker, I submit these remarks in honor of my aunt, Mrs. Betty Hechlinski of South Bend, Indiana who turns 80 years old today. A lifelong Hoosier resident, Aunt Betty was the oldest of three children and attended school in her hometown of South Bend, graduating from St. Adalbert Elementary School and Washington High School.

Aunt Betty has always assumed a natural leadership role in the Walorski family, particularly to my father, the late Ray Walorski. The proud mother of three children and five grandchildren, Aunt Betty continues to stay busy in the community, attending church and blessing us all with her wonderful cooking at family gatherings. As the matriarch of the Walorski family, she continues to remind us of the power of generosity and kindness. I am honored to join our family and friends in wishing Aunt Betty a Happy Birthday, with many more years of continued health and joyful memories.

TRIBUTE TO WILLIAM P. GALLIGAN'S 43 YEARS OF SERVICE IN THE DEPARTMENT OF DEFENSE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to William (Bill) P. Galligan, for his exceptional dedication to duty and service to the Department of Defense, spanning over a 43-year career, in honor of his retirement at the end of September 2012.

Mr. Galligan enlisted in the U.S. Air Force in February 1969 and served on Active Duty until February 1993. His uniformed service included two combat tours in Vietnam, assignments at bases in Germany and stateside, and 11 years as administrative assistant and Congressional courier on the Comptroller's staff at the Pentagon. With his retirement from the Air Force, he transitioned to a civilian role and continued to serve the Comptroller organization for another 19 years.

In his capacity, including three decades in the Office of the Under Secretary of Defense (Comptroller) office, serving 15 Congresses from the 98th to the 112th, Mr. Galligan delivered key documents to our Committee from the Department of Defense. We could always count on a story that ended with a chuckle from Bill. Many staff over the years has become fond of Bill and it won't be the same not seeing his face around Capitol Hill anymore.

We wish him all the best in his well-deserved retirement. I'm sure he will be enjoying more time with his grandchildren.

TRIBUTE TO SARAH COLLINS-RUDOLPH IN RECOGNITION OF HER SACRIFICES AS A SURVIVOR OF THE 1963 BOMBING OF SIXTEENTH STREET BAPTIST CHURCH IN BIRMINGHAM, ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor and recognize Sarah Collins-Rudolph, a little known American hero whose life was forever changed on the morning of Sunday, September 15, 1963. On that tragic day, Sarah's sister Addie was one of four little girls killed in the noted bombing of Sixteenth Street Baptist Church in Birmingham, Alabama. While her name isn't engraved in memorials or printed in history books, to many in the Birmingham community, Sarah is known as ''the fifth little girl.'' As we remember the 50th anniversary of this tragic event in our nation's history, we pay tribute to the four lives that were lost. But, we must also remember those that survived this horrible tragedy. Sarah Collins-Rudolph is one of those survivors. Sarah is the last of eight children born to Alice and Oscar Collins of Birmingham, AL. The day of the bombing, she was just 12 years old. Sarah and Addie Mae were one year apart and formed a unique closeness due to their closest in age.

On the morning of the bombing, Sarah was in the bathroom of the church's basement with the four victims including Addie Mae, Denise McNair, Carole Robertson and Cynthia Wesley. Sarah was the only girl in the bathroom

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

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

that day to survive. She lost her right eye and her life was filled with corrective surgeries and extensive medical care for her injuries. There were 21 survivors of the bombing of Sixteenth Street Baptist Church but no single family suffered as much as the Collins family, losing Addie Mae and caring for Sarah's multiple injuries.

The physical and emotional scars of this senseless tragedy remain with Sarah as she continues her extraordinary life. Even today, there are moments when she struggles mentally with her fate of being bombed at just 12 years old. Despite the persistent aftermath of the events, she is dedicated to making sure that the nation remembers the bombing and its significance to the civil rights movement. Sarah shares her painful story in hopes that future generations will know their history and remember those that were symbols of the civil rights movement.

Today, I salute Sarah Collins-Rudolph for her sacrifices to our country. We are often reminded of the civil rights giants that fought on the front lines for justice and equality. But it is an imperative that we never forget the sacrifices made by all those who were a part of this transformative time in America. On behalf of a grateful nation, we say thank you to Mrs. Sarah Collins-Rudolph for the personal sacrifice and courageous fight she has endured for civil and equal rights. On that Sunday morning in 1963, Sarah's life changed instantly and she was forever scarred by the actions of those who sought to stifle America's movement. But because of Sarah, we rejoice in a new era of our history that realizes the dreams of those before us.

We salute Mrs. Collins-Rudolph because her story was a catalyst for a new America. Her sacrifices led us to the liberties and freedoms that many of us enjoy today. I am especially grateful for Sarah's story for had it not been for her painful journey, my own journey would not be possible. As Alabama's first Black Congresswoman, I stand before you today with a humble heart knowing that Sarah's journey paved the way for my own place in American history.

I ask all of my colleagues in the House of Representatives to join me in saluting Mrs. Sarah Collins-Rudolph, an Alabama treasure and an American hero.

TO RECOGNIZE THE FAIRFAX COUNTY YOUTH FOOTBALL LEAGUE AND THE 2013 FAIRFAX COUNTY FOOTBALL HALL OF FAME HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Fairfax County Youth Football League and to congratulate the 2013 Fairfax County Football Hall of Fame honorees and scholarship award recipients.

The importance of youth sports cannot be overstated. Participation in organized sports instills in our youth many values that will serve them well throughout life. These values include sportsmanship, teamwork, honesty, a sense of belonging, and maybe most important, the work ethic developed by striving for success and working to achieve a common goal. Organized youth sports also contribute to our society. Studies have shown a correlation between participation in sporting activities and increased academic performance. Some studies indicate that a reduction in gang activity can be partially attributed to refocusing at–risk children into organized, supervised activities such as youth sports.

I commend the Fairfax County Youth Football League for providing opportunities for our children to succeed and be a part of a team. I also congratulate the following students, coaches and community leaders who are being recognized at the 23rd Annual Fairfax County Football Hall of Fame:

$1,500 Scholarship Award Recipients: Raina Aide (Cheerleading, J.E.B. Stuart HS), Harrison ''Sonny'' Romine (Football, Chantilly HS), Brian Deely (Football, Westfield HS), and Ben Sanford (Football, Madison HS)

Fairfax County Football Hall of Fame 2013 Inductees: Evan Royster (Washington Redskins, Penn State, Westfield HS, FPYC), Bruce Hanson (Head Coach, Yorktown HS), and Steve Wilmer (Coach/Commissioner—McLean Youth Football)

Football Official of the Year—Youth Sports: Steve Caruso (Fairfax County Football Officials Association)

Karl Davey Community Achievement Award: Tom Healy (Southwestern Youth Association, FCYFL)

Tom Davis Meritorious Service Award: Deb Garris (Manager, Synthetic Turf Branch, Fairfax County Park Authority)

Gene Nelson Commissioner of the Year Award: Jason McEachin (Dulles South Youth Sports)

High School Players of the Year: Jonathan Allen (Stone Bridge HS), Tyler Donnelly (Yorktown HS), Oren Burks (South County HS), Sean Huelskamp (Chantilly HS), Scott Carpenter (Gonzaga College HS), Nick Newman (Battlefield HS)

High School Coaches of the Year: Mickey Thompson (Stone Bridge HS), Jason Rowley (Oakton HS)

Youth Sports Players of the Year: Avery Howard (Manassas YFL), Virginia ''Ginny'' Delacruz (SYC), Justin Burke (RYA), Preston Bacon (CYA), Miles Thompson (Fairfax Police Youth Club), Anthony Eaton, Jr. (Alexandria Youth Football), Hunter Godin (APYFL), Robbie McGoff (SCAA), Nicholas DiVecchia (SYA), Markel Harrison (VYI), Carlo Esposito (BRYC), Michael Bayeux-Gary (HOYF), Phillippe Oliveros (CYA), Joshua Breece (Ft. Belvoir Youth Sports), Noah Adler (VYI), Christian Jessup (Dulles South Youth League)

Youth Sports Coaches of the Year: Anthony Price (Gum Springs Community Center), Buddy Morris (BRYC), Tommy Durand (Arlington Football League), Donny Cooke (VYI)

Youth Cheerleaders of the Year: Haley Clay (Dulles South Youth League), Rachel Strauss (VYI), Angel Bailey (HOYC), Asjah Snead (HOYC), Meghan Adams (GHYFL)

Mr. Speaker, I ask that my colleagues join me in congratulating the Fairfax County Youth Football League as well as those students, coaches and community leaders who are being honored at this 2013 Hall of Fame celebration.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, on February 27, 2013, I was unavoidably detained and missed roll No. 53. Had I been present, I would have voted ''nay.''

HONORING MARINE MASTER SERGEANT ELBERT LESTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. I rise to recognize a remarkable veteran, Marine Master Sergeant Elbert Lester. On Friday, November 2, 2012 Marine Master Sergeant Elbert Lester, now eighty-seven years of age, was awarded the Muntford Point Marines' Congressional Gold Medal, the highest civilian honor bestowed by Congress for distinguished achievement.

The Munford Point Marines were the first African-Americans to serve in the United States Marine Corps in 1941, when President Franklin D. Roosevelt created the Fair Employment Practices Commission, ultimately forcing the Corps to recruit blacks. When asked, ''Why did you choose the Marine Corps?'' he replied ''They decided that for me.'' He then explained while at the Army recruiting station, the black company was asked for volunteers to go into the Marines. No one did. ''So, they put our names in a hat and my name was one of those that were pulled. I was one of the unlucky ones.''

Elbert Lester was assigned to the 27th Depot Company as a Corporal and would leave the service as Master Sergeant. Following training, his unit was put aboard a ship in Norfolk, VA to Guadalcanal, a thirty-day voyage that would begin his time of service in the South Pacific. Most of the 19,000 black Marines trained at Munford Point were assigned to ammunition and depot companies, bring ammunition and supplies to the front lines, and returning wounded and dead to transport ships.

After the war, he returned to Quitman County, Mississippi where he married his childhood sweetheart Pearline Williams. They have thirteen children: Frank, Teresia, Pearlie Mae, Elbert Jr., Patricia, Lacresia, Napoleon, Miranda, Alberta, Timothy, Roderick, Darius, Cornelius and three adopted: Waring, Tiffany and Kikera Brown. Mr. and Mrs. Lester have been married for 65 years and live on their 80-acre farm. They attend Woodland Missionary Baptist Church, where they both sing in the choir.

Mr. Speaker, I ask my colleagues to join me in recognizing Monford Point Marine Master Sergeant Elbert Lester for his sacrifices in promoting democracy around the world and the United States of America.

SLAIN SANTA CRUZ POLICE OFFICERS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FARR. Mr. Speaker, I had planned to be on the floor this morning to talk about the 52nd Anniversary of the founding of the Peace Corp.

However, something very unpeaceful happen in my district in Santa Cruz, CA recently that I need to speak about instead—Tuesday afternoon, two police officers were shot and killed, and a suspect was later killed by police.

When other officers arrived at the scene, they found the two detectives, Sgt. Loran ''Butch'' Baker, a 28-year veteran, and detective Elizabeth Butler, a 10-year veteran, shot and killed outside a residence.

Sgt. Baker and Detective Butler are the first officers to be killed in the line of duty in the city's history.

Sgt. Baker leaves behind a wife, two daughters and a son, who is a community service officer with the Santa Cruz Police Department.

Detective Butler leaves behind her partner and two young sons.

This is a horrible tragedy, and I join with all residents of the Central Coast, to mourn this loss and to pay our respects to these two outstanding officers.

Our prayers and sympathies are with the families and loved ones of the officers who gave their lives in the line of duty.

While the words of comfort we offer today are sincere, our actions and deeds will be the true test of our resolve. If we are truly committed to ending gun violence in our communities, we must be willing to find real solutions to prevent this type of senseless shooting from occurring again.

We owe that much to the brave men and women who put on a police uniform every day.

We must be willing to protect those who so bravely protect us.

As a community, we promise that the sacrifices of Sgt. Baker and Detective Butler will not be forgotten.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ROE of Tennessee. Mr. Speaker, on rollcall No. 46, had I been present, I would have voted ''Yea.''

TO RECOGNIZE VFW POST 7327 AND THE 2013 AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Springfield Veterans of Foreign Wars Post 7327 and the recipients of its 2013 Annual Awards.

The Veterans of Foreign Wars (VFW) traces its beginnings to 1899 when veterans of the Spanish American War established local organizations to bring awareness to their service and to advocate for veterans retirement benefits and improved medical care. Today, with membership of 2.2 million at approximately 8,100 posts worldwide, the VFW continues its efforts to support the men and women who have served our great country in uniform and their families.

The VFW has a distinguished record of service to the broader community. The VFW and Ladies Auxiliary contribute more than 13 million hours of volunteerism every year. In this field of champions, the Springfield VFW Post 7327 stands out for the depth of its commitment to our community.

Often called ''The Friendliest VFW Post in Virginia,'' Post 7327 has one of the most aggressive ADOPT–A UNIT programs in the entire VFW organization to support our service members stationed overseas. VFW Post 7327 visits the VA hospital at least quarterly; bringing along goodie bags for our Wounded Warriors. Each Thanksgiving and Christmas, VFW Post 7327 adopts military families in need through the USO and provides them with meal baskets for each holiday, Christmas gifts for all the children, commissary cards for the parents, and a Christmas party where the children can meet Santa and receive a gift filled stocking. The Ladies Auxiliary members collect, sort, and distribute more than 2,000 pieces of clothing each month to various charitable organizations. VFW Post 7327 is a strong supporter of local youth organizations including the Boys Scouts, Girl Scouts, and Little League Baseball that contribute greatly to the education and well being of our children.

Each year, VFW Post 7327 bestows awards to outstanding local citizens in recognition of their extraordinary actions and dedication. I congratulate the following individuals on receiving these 2013 Awards:

Teachers of the Year: Erin Poppe and Michael Walser.

Voice of Democracy: 1st Place: Michael D. Marriott, 2nd Place: Kathryn Cummins.

Patriot's Pen: 1st Place: Shane David King, 2nd Place: Sion Kim, 3rd Place: Rishon A. Elliott.

Police Officer of the Year: George Joca.

Emergency Medical Technician of the Year: Kayla Thompson.

VFW Post 7327 has also recognized JW & Friends Restaurant and the Northern Virginia Surgery Center for their continued support to the Post and its Ladies Auxiliary.

I ask that my colleagues join me in congratulating the 2013 Awardees and in thanking the members, Ladies Auxiliary, and supporters of VFW Post 7327 for their continued service to our country and our community.

HONORING GERALD McKINSEY

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Gerald McKinsey of Greensburg, Indiana.

Gerald was a life-long resident of Greensburg, working in manufacturing at the local Honda automotive facility and, before that, at Gecom. On a personal note, my brother Rich and I have very fond memories of summer days spent on sports, bikes, and video games with Gerald and his brother, Jeff. Their friendships, and the friendship of their entire family, were a very important part of our childhood. Those memories will never be forgotten.

I ask the entire 6th District to keep Gerald's mother, Faye, his daughter, Kayla, and son, Keegan, along with the entire extended McKinsey family in your thoughts and prayers.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HANNA. Mr. Speaker, on rollcall No. 49, on motion to suspend the rules and agree to Academic Competition Resolution of 2013, I was unable to successfully cast my vote by electronic device.

Had I been able to vote, I would have voted ''yes.''

THE COST OF INACTION WILL BE STAGGERING

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BLUMENAUER. Mr. Speaker, I submit this letter, which is an example of an opportunity for a bipartisan climate action.

THE COST OF INACTION . . .

The effects of climate change in the world's most vulnerable regions present a serious threat to American national security interests. As a matter of risk management, the United States must work with international partners, public and private, to address this impending crisis. Potential consequences are undeniable, and the cost of inaction, paid for in lives and valuable U.S. resources, will be staggering. Washington must lead on this issue now.

Countries least able to adapt to or mitigate the impacts of climate change will suffer the most, but the resulting crises will quickly become a burden on U.S. priorities as well. Both the Department of Defense and the State Department have identified climate change as a serious risk to American security and an agent of instability. Without precautionary measures, climate change impacts abroad could spur mass migrations, influence civil conflict and ultimately lead to a more unpredictable world. In fact, we may already be seeing signs of this as vulnerable communities in some of the most fragile and conflict-ridden states are increasingly displaced by floods, droughts and other natural disasters. Protecting U.S. interests under these conditions would progressively exhaust American military, diplomatic and development resources as we struggle to meet growing demands for emergency international engagement.

It is in our national interest to confront the risk that climate change in vulnerable regions presents to American security. We must offer adaptive solutions to communities currently facing climate-driven displacement, support disaster risk reduction measures and help mitigate potential future

impacts through sustainable food, water and energy systems. Advancing stability in the fare of climate change threats will promote resilient communities, reliable governance and dependable access to critical resources.

We, the undersigned Republicans, Democrats and Independents, implore U.S. policymakers to support American security and global stability by addressing the risks of climate change in vulnerable nations. Their plight is our fight; their problems are our problems. Even as we face budgetary austerity and a fragile economic recovery, public and private sectors must work together to meet the funding demands of this strategic investment in internationally-backed solutions. Effective adaptation and mitigation efforts in these counties will protect our long-standing security interests abroad.

Madeleine Albright, Secretary of State 1997–2001; Richard Armitage, Deputy Secretary of State 2001–05; Samuel Berger, National Security Advisor 1997–2001; Sherwood Boehlert, US Congressman (R–NY) 1983–2007; Carol Browner, Administrator, Environmental Protection Agency 1993–2001; Michael Castle, US Congressman (R–DE) 1993–2011, Governor (R–DE) 1985–92; GEN Wesley Clark, USA (Ret), Fmr. Supreme Allied Commander Europe of NATO; William Cohen, Secretary of Defense 1997–2001, US Senator (R–ME) 1979–97; Lt Gen Lawrence P. Farrell, Jr., USAF (Ret.), Fmr. Deputy Chief Of Staff for Plans and Programs, HQ USAF; BG Gerald E. Galloway, Jr., P.E., Ph.D., USA (Ret.), Fmr. Dean of the Academic Board, US Military Academy; Wayne Gilchrest, US Congressman (R–MD) 1991–2009; James Greenwood, US Congressman (R–PA) 1993–2005; VADM Lee F. Gunn, USN (Ret.), Fmr. Inspector General of the Department of the Navy; Lee Hamilton, US Congressman (D–IN) 1965–99, Co-Chair, PSA Advisory Board; Gary Hart, US Senator (D–CO) 1975–87; Rita E. Hauser, Chair, International Peace Institute; Carla Hills, US Trade Representative 1989–93; Thomas Kean, Governor (R–N) 1982–90, 9/11 Commission Chair; GEN Paul J. Kern, USA (Ret), Fmr. Commanding General, US Army Materiel Command; Richard Leone, President, The Century Foundation 1989–2011; Joseph I. Lieberman, US Senator (I-CT) 1989–2013; Richard G. Lugar, US Senator (R–IN) 1977–2013; VADM Dennis V. McGinn, USN, (Ret.), Fmr. Deputy Chief of Naval Operations for Warfare Requirements and Programs; Donald McHenry, US Ambassador to the UN 1979–81; Constance Morella, US Congresswoman (R–MD) 1987–2003, US Ambassador to OECD 2003–07; Sam Nunn, US Senator (D–GA) 1972–96; John Porter, US Congressman (R–IL) 1980–2001; Tom Ridge, Secretary of Homeland Security 2003–05, Governor (R–PA) 1995–2001; ADM Gary Roughead, USN (Ret.), Fmr. Chief of Naval Operations; Warren Rudman, US Senator (R–NH) 1980–92, Fmr. Co-Chair, PSA Advisory Board; Christopher Shays, US Congressman (R–CT) 1987–2009; George Shultz, Secretary of State 1982–89; Olympia J. Snowe, US Senator (R–ME) 1995–2013; GEN Gordon R. Sullivan, USA (Ret.), Fmr. Chief of Staff, US Army, Chairman, CNA Military Advisory Board; Timothy E. Wirth, US Senator (D–CO) 1987–93; Frank Wisner, Undersecretary of State 1992–93; R. James Woolsey, Director of Central Intelligence 1993–95, Co-founder, US Energy Security Council; GEN Anthony Zinni, USMC (Ret.), Fmr. Commander in Chief, US Central Command.

HONORING PAMELA W. WALKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous and remarkable veteran, Mrs. Pamela W. Walker.

Mrs. Walker was born and raised in Leland, Mississippi. She is one of seven children born on September 27, 1962 to Mr. Vernell and Mrs. Claudine Wilson. She is married to Mr. Lester Walker and has three sons: Jarvis, Reginald, and Derrick.

Mrs. Walker graduated from Leland High School in 1980. She went on to further her education at Alcorn State University, where she received her Bachelor of Arts degree in 1985; her Bachelor of Science degree in 1994 from Mississippi Valley State University; and her Masters of Science in 2002, also from Mississippi Valley State University.

Mrs. Walker joined the Army ROTC at Alcorn State University, on May 15, 1984. She has served a total of 26 years in the military. Over that time period, she has attended several military schools, received numerous awards, and she has served overseas in FEPA-Okinawa, Saudi Arabia, Germany, Iraq, and Korea.

Furthermore, her determination and drive to serve this country has pushed her up the ladder in leadership. She was appointed Second Lieutenant (1984), First Lieutenant (1987), Captain (1991), Major (1998), and she retired as a Lieutenant Colonel (2006).

Mrs. Walker is currently an elementary teacher in Greenville Public School District (Mississippi), where she has been for 23 years. She has learned a lot about life during her time in the service, and it has helped her in her classroom.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Pamela W. Walker for her time and dedication to serving our country.

TO RECOGNIZE THE RECIPIENTS THE FAIRFAX COUNTY 2012 LAND CONSERVATION AND TREE PRESERVATION AND PLANTING AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of Fairfax County 2012 Land Conservation and Tree Preservation and Planting Awards.

Fairfax County is considered one of the best counties in the nation in which to live, work and raise a family. One reason for this designation is the innovative environmental protection policies that have been implemented by the County and embraced by its business partners. I was pleased to have led that effort during my tenure as Chairman of the Board of Supervisors. These awards recognize the following developers, designers and site superintendents who have excelled in their stewardship of the environment:

Large Commercial: Belvoir Corporate Campus: Owner: Loisdale 24, LLC. Superintendent: Bruce Reed. Contractor: Goldin & Stafford, Inc. Engineer: Urban, LTD. Site Inspector: Jim Getts.

Small Commercial: INOVA Lorton Healthplex Phase I: Owner: INOVA Health Care Services. Superintendent: Giancarlo Bulfom. Contractor: Metro Earthworks. Engineer: Vika Virginia LLC. Site Inspector: Martin Klema.

Infill Log: Bull Run Woods Lot 12, Section 8: Owner: Trust Communities, Inc. Superintendent: Peter Judge. Contractor: Basheer & Edgemoore Bull Run, LLC. Engineer: Smith Engineering. Site Inspector: David Nichols.

Best Protected Environmentally Sensitive Site: Bull Run Woods Lot 12, Section 8: Owner: Trust Communities, Inc. Superintendent: Peter Judge. Contractor: Basheer & Edgemoore Bull Run, LLC. Engineer: Smith Engineering. Site Inspector: David Nichols.

Outstanding Engineering Firm: Smith Engineering for Bull Run Woods Lot 12, Section 8 and Urban Ltd. for Mallory Square and Belvoir Corporate Campus.

Outstanding Contractor: Basheer & Edgemoore for Bull Run Woods Lot 12, Section 8. Outstanding Superintendent: Giancarlo Bulfon for Belvoir Corporate Campus. Outstanding E/S Inspectors of the Year: David Nichols, Tom French and Martin Klema. Outstanding E/S Plan Reviewers of the Year: Aileen Santiago, Durga Kharel, and Thakur Dhakal.

Tree Preservation Award Recipients: Walker Nature Education Center. Developer: Reston Association. Design Professional: Paciulli Simmons & Assoc. Tree Preservation Contractor: HITT Contracting. Tree Preservation Consultant: Thrive, Incorporated—Plant Health Care Solutions.

Dolley Madison Library: Developer: Fairfax County, DPWES. Design Professional Engineers: Atkins Global. Design Professional–Contractor: Harvey Cleary Builders. Tree Preservation Contractor/Project Arborist: Zimar and Associates, Incorporates.

Valleybrook Montessori: Developer: Montessori School of Northern Virginia, Incorporated. Design Professional: Patton, Harris, Rust and Associates (A Pennoni Company). Tree Preservation Contractor: Zimar and Associates, Incorporated.

Mr. Speaker, I ask my colleagues to join me in congratulating these honorees. Fairfax County and its residents have benefitted greatly from the collaborative spirit that is represented by these awards today, and I thank each of the awardees for their efforts.

CONGRESSIONAL RECOGNITION FOR DOROTHY HUNT FINLEY

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BARBER. Mr. Speaker, I rise today to recognize Dorothy Hunt Finley—a daughter of Southern Arizona ranchers who spent a lifetime giving back to her community before passing away on February 20th at the age of 92.

Dorothy grew up in rural Cochise County, not far from the U.S.-Mexico border and never envisioned a future as an educator, a beer distributor and a community leader and benefactor.

For three decades, Dorothy was a teacher and a principal at schools in the Tucson Unified School District. She was chairwoman of the TUSD Elementary School Principals and president of the Arizona Elementary School Administrators. Because of her background in education, Dorothy became a member of the Pima Community College Foundation Board and co-founded the Women's Studies Advisory Council at the University of Arizona.

Her life took a turn 30 years ago when her husband, Harold, died. Dorothy became CEO of Finley Distributing Company, a beer wholesaler. She also became a dedicated community activist.

Dorothy was a member of nearly 100 community organizations that benefitted from her time, commitment and financial generosity. That list includes the Arizona Chamber of Commerce, the Greater Tucson Economic Council, Pima County Juvenile Court, Arizona Historical Society, Tucson Urban League, the Arizona Theatre Company, the UA Wildcat Club, La Frontera Child Family Center, the American Diabetes Association, Big Brothers Big Sisters, the Juvenile Diabetes Foundation, the Arizona-Sonora Desert Museum, Goodwill Industries, the March of Dimes and the United Cerebral Palsy Foundation.

Dorothy received numerous well-deserved awards for her work, including a gubernatorial Celebrating Exceptional Women award, the Entrepreneur of the Year award from the YWCA and the Woman of the Year honor from the Tucson Metropolitan Chamber of Commerce. She was named among the top 100 private business owners in Arizona and received a Lifetime Achievement Award from the YWCA.

In 2004, Dorothy was presented with the Zachary and Elizabeth Fisher Distinguished Civilian Humanitarian Award, which she traveled to the Pentagon to accept. She also is the only civilian to have a building named after her on Davis-Monthan Air Force Base: the Dorothy Finley Child Development Center.

I am proud to recognize Dorothy Hunt Finley—an exceptional friend to the people of Southern Arizona. She will be deeply missed.

HONORING LARRY DANCE

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Larry Dance of Greensburg, Indiana.

Larry was a life-long resident of Greensburg and active member of the community. He served his country in Operation Desert Storm as a member of the Air Force, earning the Act of Bravery Medal. At home, he served as a decorated Lieutenant in the Greensburg Police Department, including being named Officer of the Year and President of the Fraternal Order of Police.

Larry continued his love of sport as an assistant wrestling coach at Greensburg High School and as a team wrestler in the World Police and Fire Games. On a personal note, I have fond memories playing alongside Larry on the Greensburg High School football team.

I ask the entire 6th District to keep his wife Shannon, three daughters Mallory, Megan, and Baili, and the entire extended Dance family in your thoughts and prayers.

CONGRATULATING GO SOLAR BROWARD ROOFTOP SOLAR Challenge

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, today I rise to congratulate Go SOLAR Broward Rooftop Solar Challenge, a U.S. Department of Energy grand-funded program that encourages residents and businesses of Broward County to convert to solar energy. I would like to applaud the program and its sponsors for establishing a simplified and streamlined process for Broward County residents and businesses to obtain photovoltaic rooftop solar systems.

I have been a long time supporter of solar power as a way to create new jobs in South Florida and move our country towards a more secure energy future. With some of our nation's most beautiful environmental treasures, including our beaches and the Everglades, I believe these natural resources must be protected by further investments in renewable energy options. Improving our access to innovative clean energy technologies will help curb our dependence on fossil fuels, thereby benefitting our environment, economy, and national security.

The Go SOLAR Broward Rooftop Challenge provides an important service to the county by making solar power more accessible to local residents and businesses. I am thankful to this conference for bringing together government officials, local businesses, and private citizens committed to solar energy to share information and resources. I want to particularly thank Kristin Jacobs, Broward County Mayor, for her leadership in spreading green energy to the region. Congratulations to the Go SOLAR Broward Rooftop Challenge team and all of the conference participants for taking action to spread solar power resources to South Florida.

HONORING MR. JOHN McELENEY, DEALERSHIP OWNER OF MCELENEY CHEVY BUICK GMC TOYOTA OF CLINTON, IOWA

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LOEBSACK. Mr. Speaker, today I would like to recognize Mr. John McEleney, an automobile dealer in Clinton, Iowa. John, owner of McEleney Chevy Buick GMC Toyota, was recently nominated for the 2013 TIME Dealer of the Year award sponsored by TIME Magazine and Ally. John was nominated by Bruce Anderson, President of the Iowa Automobile Dealers Association, and was honored at the National Automobile Dealers Association Convention & Exposition in Orlando. The TIME Dealer of the Year award is one of the auto industry's most prestigious awards, recognizing both success in the industry and exemplary community service.

John is a third-generation family dealer who operates a dealership first opened in 1914. He began washing cars and doing janitorial work at the dealership as a 13-year-old, and after graduating cum laude from the University of Notre Dame with a degree in business administration, he returned to Clinton in 1973 to join the dealership full-time. In 1976 John became dealer operator as a 24-year-old, carrying on the tradition of family ownership. John was chairman of the National Automobile Dealers Association in 2009, a historic year in the auto industry, and he took part in many high-level policy discussions with the US Department of Treasury and the White House in an effort to fight for dealers across the country.

In addition to his dedicated service at the family dealership and his work on behalf of the American auto industry, John has been a generous supporter of charitable efforts, including supporting the Iowa Automobile Dealers Foundation for Education and the National Automobile Dealers Charitable Foundation. He also founded the ''Fill the Stocking Fund'' in Clinton that helps provide gifts and financial support for needy families within the community. John has chaired a successful fundraising campaign to support economic development in the Clinton area, as well as serving as president of the Clinton Rotary Club, on the Paul B. Sharar Foundation Board of Directors, and as vice president of the Mount St. Clare College board.

On behalf of my constituents, I would like to thank John McEleney for his years of service to the Clinton community, the State of Iowa, and our nation. I know I join his colleagues, friends, and family in congratulating him for his nomination for TIME Dealer of the Year.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ROE of Tennessee. Mr. Speaker, on rollcall No. 47.

Had I been present, I would have voted ''yea''.

RECOGNIZING THE 2013 DULLES REGIONAL CHAMBER OF COMMERCE ''EDUCATOR OF THE YEAR''

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Dulles Regional Chamber of Commerce (the DRCC) for its ongoing dedication to local businesses and our community. The DRCC sponsors a fundraising event, Casino Royale, the proceeds of which will support programs for homeless children in Fairfax County. In addition, during this event, the DRCC will present its 2013 ''Educator of the Year'' Awards to educators who demonstrate exceptional effort and achievement.

The DRCC dates back to 1959, when it began as the Herndon Chamber of Commerce. Since its founding, the Chamber has

witnessed explosive regional growth and now serves the Town of Herndon; western Fairfax County, including the communities of Chantilly, Centreville and Fairfax; and eastern Loudoun County, including the communities of Sterling/Dulles, South Riding, and parts of Ashburn. The DRCC defines itself as a workforce chamber and is known for its leadership in the areas of diversity, education, and transportation advocacy.

As the former Chairman of the Fairfax County Board of Supervisors, and now as a Member of Congress representing much of this community, I have been proud to partner with the DRCC on promoting the region's pro–business climate and expanding Metro's Silver Line into the Dulles Corridor.

Northern Virginia is considered one of the best places in the country in which to live, work, and raise a family. One factor in this designation is our outstanding school systems. The DRCC recognizes the importance of a globally competitive K–12 education system to our workforce development and believes the most important investment Virginia can make is in human capital.

The jobs of the future and the ability of our businesses to compete rest in having a well–trained workforce. As an elected representative and a parent, I believe that investing in education and college access programs, with a focus on Science, Technology, Engineering, and Math, is an investment in America and will spur innovation and set our young people on a path for lifelong success. This year's awardees have demonstrated how outstanding educators are crucial leaders on that journey. Therefore, I am pleased to join the chamber in congratulating the following recipients of the 2013 Educator of the Year Award:

Ms. Whitney Branisteanu, Dranesville Elementary School; Ms. Hallie Case, Herndon Middle School; Ms. Barbara Clougherty, Chantilly High School; Ms. Jen Howe, Chantilly Academy; Mr. Jeff Jones, Mountain View High School; Ms. Cheryl McGovern, Herndon Elementary School; Ms. Kelly Mosgrove, Ormond Stone Middle School; Ms. Amy Valint, Herndon High School; Ms. Kay Ward, Liberty Middle School.

Mr. Speaker, I ask my colleagues to join me in congratulating these individuals and thanking them for their many contributions to our children's success and our nation's future.

HONORING ANDREW L. HAWKINS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a war veteran, Mr. Andrew L. Hawkins.

Mr. Hawkins is a native of Tallahatchie County, Mississippi. He is the youngest son born to the late Dave and Evelyn Hawkins of Webb. He received his early education in the West Tallahatchie School District and is a 1966 graduate of West District High School of Sumner. Mr. Hawkins migrated to Chicago, IL after graduation, and shortly thereafter was inducted into the United States Army.

Mr. Hawkins attended Basic Training and Advanced Infantry Training (AIT) in Fort Polk, Louisiana. He qualified with the 45 caliber, M–14 and M–16 as a marksman and sharp shooter. His next duty station following AIT landed him in Southeast Asia (Vietnam) from 1969 to 1970, where he served one year of duty initially while stationed in La Kai for several months with the First Infantry Division. The remainder of his tour was with the 101st Airborne Division, where he was wounded in action and was awarded a Purple Heart Metal and returned home.

After being honorably discharged from the Army, he began pursuing higher education at DePaul University in Chicago, Illinois on the GI Bill. He completed his bachelor's degree and much of his master's at DePaul. He later moved back to his home state of Mississippi because he felt that his military experience had equipped him with life skills and discipline to cope with life challenges back home. Mr. Hawkins attributes his will to survive and success to his parents, community, elementary and high school teachers, and his strong spiritual upbringing.

Mr. Speaker, I ask my colleagues to join me in recognizing wounded Vietnam War Veteran and Purple Heart recipient, Mr. Andrew L. Hawkins, for his dedication and service to his country while in the United States Army.

RECOGNIZING THE IMPORTANCE OF STEM EDUCATION

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise today to speak about the importance of science, technology, engineering and math (STEM) education to this country's future and posterity. Educating a STEM workforce has become increasingly central to U.S. economic competitiveness and growth and requires the collaborative efforts of government, private industry and non-profits to succeed.

STEM fields are more important than ever to the development and maintenance of a high standard of life than ever. However, over the past several decades the performance of American students in STEM subjects has lagged behind their international peers. And at the same time that students are spending less time studying science in the classroom than they did a decade ago, only one out of every five households has access to STEM extracurricular activities.

Employers are increasingly frustrated when searching for qualified applicants for high-paying STEM jobs. Job growth in STEM fields offers great potential, estimated to grow at the rate of 17 percent by 2018—nearly double the rate of non-STEM related careers. Given these figures, it is difficult to understate the importance of STEM education, both in and outside of school, for our nation's collective economic future and the future our nation's students. Federal, state, and local governments must partner with the private sector to provide American students with the resources necessary to compete in an increasingly competitive global market.

One private sector campaign aimed at addressing this issue is Time Warner Cable's Connect a Million Minds (CAMM) program. CAMM is designed to inspire the next generation of problem solvers by connecting young people to the wonders of STEM outside of the classroom. Introduced in November 2009 in conjunction with President Obama's ''Educate to Innovate'' effort, CAMM has answered the President's call-to action for cross-sector partnerships to address the STEM crisis. In downstate New York, CAMM connects parents and students with dozens of local STEM resources that would otherwise remain untapped, including the Brooklyn Botanic Garden, the National Park Service at Hamilton Grange, and the New York Transit Museum.

I want to congratulate Time Warner Cable for this important initiative and urge my colleague to recognize how essential such programs are to all of our communities.

RECOGNIZING THE IMPORTANCE OF THE LILLY LEDBETTER FAIR PAY ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, as we mark the 4th anniversary of The Lilly Ledbetter Fair Pay Act, I would like to take a moment to recognize the importance of equal pay for equal work. Equal opportunity for women—of which equal pay is a fundamental facet—is an essential premise for our nation to be a Democracy.

In 2009, the Democratic Congress took strides to further close the gender discrimination gap in the professional work environment by passing The Lilly Ledbetter Fair Pay Act, which was the first bill President Obama signed law. The Lilly Ledbetter Fair Pay Act is of enormous importance for women's rights in the workplace. For decades, companies large and small have paid women less for the same work compared to their male counterparts. This law reaffirmed that each occurrence of pay and compensation discrimination against women violates title VII of the Civil Rights Act. The law addressed a Supreme Court ruling in Ledbetter v. Goodyear Tire & Rubber Company that undermined statutory protections against discrimination by unduly restricting the time period in which victims of discrimination could challenge and recover for discriminatory compensation decisions or other practices, contrary to the intent of Congress. The Lilly Ledbetter Fair Pay Act restored women's right to challenge employers once they discovered they were wrongfully discriminated against in terms of pay and benefits. Further, the law clarified that employees are entitled to up to two years of backpay for such discrimination, as provided under title VII.

Since enactment, courts around the country have applied the Lilly Ledbetter Fair Pay Act as Congress intended, for straightforward pay discrimination cases based on sex, race, disability, and age. In clarifying the period during which a worker may file a discrimination claim by each unfair paycheck, the law has provided a proper time frame extension to file lawsuits against employers for wage discrepancies. The anniversary of the signing of this bill reflects the commitment of our nation to ensure equal pay for all Americans and serves as a reminder that we must monitor and protect civil rights laws.

Unfortunately, equal opportunity is not yet a reality for women. This is why I join my Democratic colleagues in supporting the The Paycheck Fairness Act, which strengthens the equality provisions within the Lilly Ledbetter Fair Pay Act and eliminates the loopholes not seen in the past. For example, it increases penalties on employers who violate federal law and allows women to pursue legal matters if they are treated unjustly. The legislation also ensures equality in the tax code so that everyone—male and female, high-income earners and those living in poverty—pays their respective tax rate. Fairness should be applicable to all, in wages and in taxes. The Paycheck Fairness Act provides effective remedies to women who are not being paid equal wages for equal work, and Congress should pass the bill as soon as possible.

HONORING THE LIFE OF HORACE NARVEL BROOKS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MARCHANT. Mr. Speaker, I rise today to honor the life of Horace ''Chief'' Narvel Brooks. I ask my colleagues to join me in celebrating the good and long life of Mr. Brooks, who passed away on Sunday, January 20, 2013.

Horace joined the United States Navy at the age of 17 and served in both World War II and the Korean War. Horace, having faithfully served, retired from the military as a Chief Gunner's Mate. Horace far exceeded his duty in serving both his country, family and the 24th District of Texas. Each year around Veterans Day, Horace would share stories of his military duties with high school students, imparting wisdom and firsthand experiences.

Mr. Speaker, Horace ''Chief'' Brooks was a great father and family man, and a true American patriot. I ask all my distinguished colleagues to join me in celebrating his life, and honoring the many people whose lives are better for having crossed his path.

RECOGNIZING THE TURNING POINT MEMORIAL ASSOCIATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, as the nation's capital hosts a weekend celebration of women's suffrage on March 2 and 3, I want to share with my colleagues a little–known, national landmark in my—the Turning Point Memorial at the former Occoquan Workhouse, in Lorton.

From 1917 to 1919, more than 200 women from 26 states were arrested for ''obstructing traffic'' and ''holding a meeting on public grounds.'' Around 70 of those women, suffragists who were called ''Silent Sentinels,'' were imprisoned for picketing with signs and banners on the White House sidewalk demanding their right to vote. Police hauled them to the then Occoquan Workhouse, later called the Lorton Prison, in Fairfax County, where they were jailed.

Their incarceration was one of the most significant but least known events of the women's suffrage movement and a true turning point in the ultimately successful struggle. The gutsy women—labeled by some as ''unpatriotic'' — held firm to their goals. Choosing jail over paying a $25 fine, one protested, ''Not a dollar of your fine shall we pay. To pay a fine would be an admission of guilt. We are innocent!''

Winning the right to vote took 72 years when Tennessee ratified the 19th Amendment in 1920, the largest extension of democratic rights in the nation's history. The suffragists' nonviolent actions pioneered civil rights tactics later used in other civic movements and their refusal to back down became a model for activists.

To recognize their struggle, the all–volunteer Turning Point Suffragist Memorial Association is building the memorial in the shadow of the nation's capital in Fairfax County. It will feature a waterfall and 19 stations (for the 19th Amendment) along a winding garden path to relate the history of the movement and the story of empowerment and perseverance. More information can be found online at www.suffragistmemorial.org.

Mr. Speaker, I ask my colleagues to join me in commending the members and supporters of the Association and wishing them continued success with the memorial.

PROVIDING FOR CONSIDERATION OF S. 47, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to support H.R. 11, the reauthorization of the Violence Against Women Act.

Over the last 18 years, VAWA has provided life-saving assistance to hundreds of thousands of women, men, and children. Originally passed by Congress in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994, this landmark, bipartisan legislation was enacted in response to the prevalence of domestic and sexual violence and the significant impact that such violence has on the lives of women.

Just last month a co-ed at the venerable University of Virginia, my alma mater was convicted of murdering his girlfriend. This hits close to home. As well as Yvette Cade, who had acid poured over her face by an irate exhusband. As well as the murder of Annie Le at Harvard University. And unfortunately, I could go on and on. These women were white, black, and Asian, living in different cities under different circumstances. They had one common denominator: victims of abject and perverse violence. Lives destroyed because of men-at-rage.

With each reauthorization, VAWA has been improved in meaningful ways to reflect a growing understanding of how best to meet the varied and changing needs of survivors.

VAWA is working, while rates of domestic violence have dropped by over 50 percent in the past 18 years, there remains a lot of work to be done still have a lot of work ahead of us.

In December, the Centers for Disease Control and Prevention (CDC) released the first National Intimate Partner and Sexual Violence Survey (NISVS), which found:

1 in 5 women have been raped in their lifetime and 1 in 4 women have been the victim of severe physical violence by a partner;

Over 80% of women who were victimized experienced significant short-term and long-term impacts related to the violence and were more likely to experience Post-Traumatic Stress Disorder and long-term chronic diseases such as asthma and diabetes.

Every nine seconds a woman in the United States is assaulted or beaten by stalkers or her partner.

Every year in the United States, 1,000 to 1,600 women die at the hands of their male partners, often after a long, escalating pattern of battering.

In 2009, 111 women were killed by their former or current husband, intimate partner or boyfriend in the State of Texas.

DOMESTIC VIOLENCE IS THE LEADING CAUSE OF INJURY FOR WOMEN IN AMERICA

According to a study, there are more victims of domestic violence than victims of rape, mugging and automobile accidents combined. VAWA was designed to address these gruesome statics.

VAWA established the National Domestic Violence Hotline, which receives over 22,000 calls each month. VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel each year.

This landmark legislation sent the message that violence against women is a crime and will not be tolerated.

States are taking violence against women more seriously and all states now have stalking laws, criminal sanctions for violation of civil protection orders, and reforms that make date or spousal rape as serious of a crime as stranger rape.

H.R. 11

The bipartisan Violence Against Women Reauthorization Act of 2013 passed the Senate with overwhelming bipartisan support. 78 out of 22 U.S. Senators supported this important bipartisan legislation.

The VAWA Reauthorization bill significantly strengthens the ability of the Federal Government, the States, law enforcement, and service providers to combat domestic violence, dating violence, sexual assault, and stalking. As with the previous reauthorizations of VAWA in 2000 and 2005, this bill responds to the realities and needs reported by those who work with victims every day to make VAWA work better for all victims.

The Republican leadership announced they will bring their version of the Violence Against Women Act (VAWA) reauthorization to the House Floor. As opposed to the bipartisan Senate bill, the House Republican version of VAWA omits protections for the LGBT, Native women, and immigrant communities. It also excludes provisions that combat sex trafficking, and that would have helped law enforcement address the backlog in DNA evidence kits. The GOP version is being brought to the House Floor in the complete absence of committee action and without the consultation of House Democrats.

As my colleague, Congressman JOHN CONYERS stated ''The House Republican version of VAWA is evidence that the Majority continues to pick and choose which victims of domestic

violence are deserving of protection. The Senate has passed a strong bipartisan bill that contains critical protections for all victims of domestic violence, but House Republicans are reverting back to partisan politics by pushing through a bill that will not pass the Senate. We should be seeking ways to expand and improve upon the Historic Violence Against Women Act, not limit its ability to protect innocent victims.''

Unfortunately, the House Republican bill refuses to acknowledge the needs of all victims of domestic violence, human trafficking and stalking. There are too many women waiting on vital domestic violence services. It is time for House Republicans to end this charade and allow a vote on the comprehensive VAWA that passed the Senate earlier this month.

WHY REPUBLICANS OPPOSE THE BILL (''CONTROVERSIAL'' NEW PROVISIONS)

PROTECTIONS FOR LGBT SURVIVORS

The Senate bipartisan reauthorization of VAWA ensures that ALL victims of domestic violence receive aid, including LGBT survivors.

LGBT people are often victims of Domestic Violence:

A 2010 Centers for Disease Control and Prevention study found that lesbian, gay, bisexual and transgendered victims report intimate partner violence, sexual violence, and stalking at levels equal to or higher than the general population.

The report also found that bisexual women report higher incidences of rape, physical violence, and stalking than their lesbian and heterosexual counterparts.

Recent studies show that LGBT victims face discrimination when accessing services. For example, 45% of LGBT victims were turned away when they sought help from a domestic violence shelter, according to a 2010 survey, and nearly 55% were denied protection orders.

Service providers have gathered numerous stories of LGBT victims denied assistance or services because of their sexual orientation or gender identity.

The Senate Bill ensures non-discrimination, and allows for a wider variety of groups to apply for VAWA funding:

The legislation clarifies that organizations seeking to provide specific services to gay and lesbian victims may receive funds under the largest VAWA grant—the STOP formula grant program.

No organization will be required to develop services specifically targeting this population, but those organizations that would like to offer such services will be able to access funding. Currently, STOP grant funds are only available to organizations predominantly serving women.

Additionally, the legislation clarifies that gay and lesbian victims are included in the definition of underserved populations. Although the LGBT community experiences domestic violence at the same rate as heterosexual couples, a 2010 study found that many victim services providers lack services specific to LGBT victims and have not received training in how to work with LGBT victims. Specialized services are important for this population because reporting rates and prosecution rates are very low.

This bill does not Mandate that Service Providers Offer Specific LGBT Services.

The legislation does not require service providers to offer specific programs for LGBT victims. It simply seeks to increase the availability of specialized services and to ensure that no victim is turned away based on their sexual orientation or gender identity.

VAWA AND IMMIGRANT WOMEN

H.R. 11 adds the crime of stalking to the offenses for which a U Visa is available. The U Visa was created to encourage immigrant victims of crime to report and help prosecute criminal activity. It is only available to victims of certain crimes, which currently include domestic violence and sexual assault.

H.R. 11 protects the children of applicants for U Visas from ''aging out'' of the process if they become adults while their parent's application is pending.

H.R. 11 clarifies that VAWA self-petitioners, U Visa petitioners and holders, and T Visa holders (victims of human trafficking) are exempted from the public charge inadmissibility ground that typically precludes a non-citizen from remaining in the country.

H.R. 11 extends the so-called ''widow's and widower's fix,'' approved by Congress in 2009, to add the surviving minor children of a VAWA self-petitioner when the abusive spouse of the petitioner died after the filing of the petition. Other relatives of the petitioner would remain ineligible.

H.R. 11 requires annual reports to Congress regarding outcomes and processing times for VAWA self-petitions, U Visas, and T Visas.

H.R. 11 strengthens the existing International Marriage Broker Regulation Act to provide vital disclosures to foreign fiancés and fiancées of U.S. citizens regarding the criminal history of the sponsoring citizen and other information foreign fiancé's and fiancée's need to protect themselves from entering abusive marriages. Requires international marriage brokers to collect proof that the foreign fiancé or fiancée is of the age of consent.

H.R. 11 extends the application of the Prison Rape Elimination Act to all immigration detention facilities under the authority of the DHS and HHS.

VAWA EXPANDS PROTECTIONS FOR TRIBAL WOMEN

VAWA Reauthorization provides law enforcement with additional tools to combat domestic and sexual assault in tribal communities.

The bill adds new federal crimes—including a ten-year offense for assaulting a spouse or intimate partner by strangling or suffocating and a five-year offense for assaults resulting in substantial bodily injury—that will enable federal prosecutors to more effectively combat types of assault frequently committed against women in Indian country.

These new crimes allow law enforcement to appropriately address the gradual escalation of seriousness often associated with domestic violence offenses. The bill also clarifies that tribal courts have the authority to issue and enforce tribal protection orders, ensuring that these protection orders can be used effectively to keep women safe.

VAWA Reauthorization closes jurisdictional loopholes to ensure that those who commit domestic violence in Indian country do not escape justice.

The bill addresses a gaping jurisdictional hole by giving tribal courts concurrent jurisdiction over Indian and non-Indian defendants who commit domestic violence offenses against an Indian in Indian country.

Currently, tribal courts do not have jurisdiction over non-Indian defendants who abuse and attack their Indian spouses on Indian lands, even though more than 50% of Native women are married to non-Indians. Prosecution of domestic violence offenses in Indian country often falls through the cracks, since federal and state law enforcement and prosecutors have limited resources and may be located hours away from tribal communities.

CONCLUSION

Mr. Speaker, I urge the members of this House to vote in favor of H.R.11. The Violence Against Women Act provides crucial protections for victims of domestic violence. We cannot wait any longer to reauthorize this crucial legislation that saves the lives of women every day.

HONORING THE 25TH SILVER ANNIVERSARY OF THE YOUNG ISRAEL OF BOCA RATON AND YAKOV & RUCHIE LYONS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, today I rise in honor of the 25th Silver Anniversary of the Young Israel of Boca Raton, Florida synagogue. I would like to recognize them for their service to the Jewish community of South Florida and the local community as a whole.

Founded in 1988, the Young Israel of Boca Raton has served as a center of Jewish identity and education for the South Palm Beach County community. I want to particularly acknowledge Yakov (Jason) and Ruchie Lyons, the special honorees during the Silver Anniversary celebration, for their dedication to the synagogue and its emphasis on prayer, study, and community service.

I would like to congratulate the Young Israel of Boca Raton synagogue, an extraordinary Jewish community of South Florida, on their 25th Silver Anniversary. Hopefully, through their example, the Young Israel's philosophy and spiritual guidance can extend far beyond South Florida.

HONORING ELIZABETH MICHELLE WOODS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable veteran, Elizabeth Michelle Woods. She is a lifelong resident of the Mississippi Delta.

Ms. Woods joined the United States Army Reserves while a senior in high school at East Side High School and served eight years with the 479th Ordnance Company. She completed a tour of duty in Operation Desert Storm as an assistant squad leader. She earned the U.S. Army Achievement Medal, the U.S. Army Certificate of Achievement and other awards. After returning from Saudi Arabia she obtained an Associate of Arts Degree in Social Work.

Ms. Woods earned the rank of Sergeant Promotional after serving our country for 12 years and received an Honorable Discharge. During and after completion of her military

service, she continued her educational pursuits and received a Bachelor of Science Degree in Social Work, a Masters Degree in Social Work, and an Executive Masters of Science Degree in Health Administration.

Ms. Woods stated that her service to America taught her that she can succeed in her life pursuits. She has utilized her social work skills during her tenure in law enforcement and developed a Crime Victims Assistance Program with the Department of Veterans Affairs where she provided mental health services. Ms. Woods has also served as Director of Social Work at Delta Health Center and Aaron Henry Health Center. Ms. Woods is the daughter of the late Percy and Annie Woods.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Elizabeth Woods for her dedication to serving our great country.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SMITH of Washington. Mr. Speaker, on Monday, February 25, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted ''yes'' on rollcall vote No. 46 (on approving the journal) and ''yes'' on rollcall vote No. 47 (on the motion to suspend the rules and pass H.R. 667).

RECOGNIZING MR. LEE WRIGHT AND HIS 48 YEARS OF SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to thank and commend Lee Wright of Woodbridge, Va., for his 30 years of honorable service with the United States Air Force and for his subsequent 18 years of civilian service with the Defense Intelligence Agency. We are fortunate to have among us veterans with Mr. Wright's sense of duty and continued commitment to public service.

Mr. Wright began his career stationed at Cam Rahn Bay, RVN in 1964. After the war, Mr. Wright served at multiple air stations, eventually serving on staff at the USAF Military Air Command, Non–Commissioned Officer Academy. Mr. Wright soon moved on to DIA assignments spanning Western Europe, Turkey, Eurasia and Russia where he served multiple roles in intelligence operations. His devotion, hard work, and expertise on Russia led to successive roles within DIA's Russia/EURASIA Division, where Mr. Wright would eventually become Division Chief.

Since August of 2011, Mr. Wright has lent his considerable experience to DIA's Office of Congressional and Public Affairs where his leadership, work ethic and knowledge base have proven invaluable to his colleagues. There is little doubt that after 48 years of serving his country, Mr. Wright has earned some well–deserved R&R.

Mr. Speaker, I ask that my colleagues rise to join me in recognizing and thanking Lee Wright for his committed and selfless service to his colleagues and our country. We wish Mr. Wright, his wife, Dottie, and his family well in retirement.

RECOGNIZING RARE DISEASE DAY

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LYNCH. Mr. Speaker, today, February 28, 2013, marks the sixth annual International Rare Disease Day, a day to raise awareness of the nearly 7,000 rare diseases affecting 30 million Americans, or about one in ten people. Here in the United States, any disease affecting 200,000 people or fewer is considered rare.

Rare Disease Day is also an opportunity to celebrate the life-saving advances in science and research that continue to transform the diagnosis, treatment, and standard of care for many orphan diseases, thanks in no small part to the advocacy efforts of the medical community, patients and their families, and rare disease organizations.

In my congressional district, I have met with a number of constituents and their families whose lives have been impacted by rare diseases, cystic fibrosis among them.

Cystic fibrosis is a genetic disease affecting approximately 30,000 children and adults in the United States and is characterized by a reduction in the flow of salt and water across cell membranes, which leads to the buildup of thick, sticky mucus in the lungs. In 1955, with limited therapies available, children with cystic fibrosis were not expected to live long enough to attend elementary school. Today, due to significant improvements in medical treatment and care, people with the disease are living longer, healthier lives. The median predicted age of survival now stands at 38 years.

Today, I have never been more hopeful of the promise science holds for all patients affected by rare diseases; however, there remains much work to be done. On this sixth annual International Rare Disease Day, I join with patients and their families in urging my colleagues to think about what more Congress can do to help bring hope to those suffering from rare diseases.

CLUSTER MUNITIONS CIVILIAN PROTECTION ACT OF 2013

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MCGOVERN. Mr. Speaker, today I am honored to join my esteemed colleagues, Representative CHARLES BOUSTANY (R–LA) and Senators DIANNE FEINSTEIN (D–CA) and PATRICK LEAHY (D–VT) in introducing the Cluster Munitions Civilian Protection Act of 2013. This bill will restrict the use and deployment of dangerous cluster munitions.

Cluster bombs are canisters designed to open in the air before making contact, dispersing between 200 and 400 small munitions that can saturate a radius of 250 yards. The bombs are intended for military use when attacking enemy troop formations, but are often used in or near populated areas. This is a problem because up to 40 percent of these bomblets fail to explode and become de facto landmines, posing a significant risk to civilians—particularly children—lasting years after a conflict ends.

The Cluster Munitions Civilian Protection Act prevents any U.S. military funds from being used on cluster munitions with a failure rate of more than 1 percent, unless the rules of engagement specify that cluster munitions (1) will only be used against clearly defined military targets, and (2) will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill requires the president to report to Congress on the plan to clean up unexploded cluster munitions, and it includes a national security waiver allowing the president to waive the prohibition if he determines such a waiver is vital to national security.

Mr. Speaker, current law prohibits U.S. sales, exports and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export or transfer agreement to include a requirement that the cluster munitions will be used only against military targets. Regrettably, the Pentagon insists that the U.S. should continue to have the ability to use millions of stockpiled cluster munitions that have estimated failure rates of 5 to 20 percent until 2018. This is simply not acceptable; we can do better.

I believe strongly that the United States should be an international leader in ending the terrible toll on civilian populations caused by the high failure rate of these weapons. Passage of this bill would establish in law the Pentagon's standard of a 99 percent functioning rate for all U.S. cluster munitions, and ensure that our deployment and use of these munitions adhere uniformly to this standard. We must do everything possible to spare innocent civilians intended for military targets. The current risk posed by cluster munitions is simply unacceptable.

In 2011, Handicap International studied the effects of cluster bombs in 24 countries and regions, including Afghanistan, Chechnya, Laos and Lebanon. Its report found civilians make up 98 percent of those killed or injured by cluster bombs, and 27 percent of the casualties were children.

The Oslo Convention on Cluster Munitions—which has been signed by 111 countries and ratified by 77—prohibits the production, use and export of cluster munitions and requires signatories to eliminate their arsenals within eight years. While nearly all of our major military allies have joined this treaty, to date, the United States has not.

There will always be those who will argue against such a change in military policy and practice, who will say this can't be done. History argues otherwise. I am hopeful that we can make significant progress on this issue and pass this legislation during the 113th Congress.

THE LAST DOUGHBOY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. POE of Texas. Mr. Speaker, there was once a man who wouldn't take no for an answer when told he was too young to join the United States Army.

He looked for ways to join, even if it meant telling a recruiter a whopper about his age.

In the recruiter's eyes he was 21 when he was just 16.

And the only way he could land foot in the action of World War I was to drive an ambulance.

It was the quickest way he could get to the battlefield.

He desperately wanted to help other Americans that were already fighting the war to end all wars.

During the war, not only did he rescue Americans, but he rescued the other wounded allies and took them back behind enemy lines.

This brave man was Frank Buckles.

Even after being told "no," he became the last surviving doughboy from America.

This week marks 2 years since his death.

He was 110 years old, and a true fighter, Mr. Speaker.

Today, I remember my friend and patriot, Mr. Buckles.

We celebrate the remarkable life that he lived.

And that's just the way it is.

HONORING NED GATHWRIGHT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize a remarkable veteran of the Korean Conflict from July 30, 1954 until July 25, 1957.

Ned Gathwright served in the United States Army in the Infantry 11 Bravo Company. He received his Basic and Advanced Individual Training at Fort Jackson, South Carolina. His duty stations were Airborne School at Fort Campbell, Kentucky and Co E 505th Infantry 2nd Airborne Battalion Group in Augsburg, Germany. For his service, he has received the National Defense Medal, Parachutist Badge, and the Good Conduct Medal.

Mr. Gathwright's early education was in the Coahoma County Schools, graduating in 1954 from Coahoma County Agricultural High School. In 1957, he enrolled at Coahoma Junior College on the Montgomery GI Bill. Upon graduating, he entered Jackson State University and received his Bachelor Degree in 1960. The Quitman County School District employed him in the district's Science and Math Departments the same year. He continued his formal education at UCLA, Texas A & M, Michigan State University, and received his Master in Education at the University of Mississippi.

He is married to the former Fannie Hurst and they have two daughters: Sabrina and Katrina. He's a member of the Greenhill Missionary Baptist Church and Coahoma Community College Board of Trustee.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Ned Gathwright, who has dedicated his life to serving his country and community.

RECOGNIZING LORI SALTZMAN FOR 34 YEARS OF SERVICE IN THE UNITED STATES GOVERNMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the distinguished career of my constituent, Lori Saltzman. After 34 years of service in the United States federal government, Lori is retiring as the Director of the Health Sciences Division at the U.S. Consumer Product Safety Commission.

Lori began her career in the federal government in 1978 as a research scientist in the Pulmonary Branch of the National Heart, Lung and Blood Institute, while attending graduate school at George Washington University. In 1984, she joined the U.S. Consumer Product Safety Commission's Directorate for Health Sciences as a toxicologist, where she spent the remainder of her career.

In 1991, Lori was selected to be a candidate in CPSC's Women's Executive Leadership Program, where she learned valuable management skills that helped further CPSC's regulatory and policy development. In 1994, Lori was named acting director of the Health Effects division of Health Sciences and eventually Director of the Division of Health Sciences.

Under her leadership, the Health Sciences staff made significant contributions in helping the CPSC address a number of important consumer product issues, including assessing the toxicity and risk associated with the use of lead and cadmium in children's jewelry, fire retardant chemicals in upholstered furniture and mattresses, phthalates in children's products, and arsenic from pressure treated wood preservatives used on decks and playgrounds.

Lori also represented CPSC on numerous federal interagency groups and task forces. She served as one of the early co-chairs of the federally mandated Committee on Indoor Air Quality (CIAQ), as a federal liaison to the CDC's Advisory Committee on Childhood Lead Poisoning Prevention (ACCLPP), and as a representative to the recent Interagency Task Force on Problem Drywall.

Because of Lori's understanding of CPSC's scientific issues, as well as its compliance and enforcement activities, her opinions and technical expertise were often relied upon by Compliance officials to support their actions against regulated industries. Throughout her career she has been dedicated to developing and mentoring her staff to assure that the Commission's compliance activities continue to be supported with the best scientific analyses possible. Her talents in both the scientific and policy arenas led to detail assignments as a special assistant with former CPSC Chairman Ann Brown and Commissioner Nancy Nord, as well as Associate Director in the CPSC's Office of Compliance. Among her many honors and accomplishments, Lori is also a licensed medical technologist registered with the American Society of Clinical Pathologists.

Mr. Speaker, I ask my colleagues to join me in congratulating Lori Saltzman and in extending our Nation's gratitude to her for her honorable and dedicated service to the United States government. I wish her the best of luck in her retirement and all her future endeavors.

RECOGNIZING THE 20TH ANNIVERSARY OF THE FAMILY AND MEDICAL LEAVE ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, this February marks the 20th anniversary of the enactment of the Family and Medical Leave Act. The Family and Medical Leave Act afforded millions of employees leave of their jobs for personal and family emergencies while keeping their job security intact. This bill expanded access to extended medical leaves to millions of workers and military caregivers enabling these citizens to take a leave intermittently whenever medically necessary to care for a loved one with a serious injury or illness.

The Family and Medical Leave Act has afforded millions of Americans with up to 12 work weeks of unpaid leave in one year for family and health events without jeopardizing their employment or their health insurance. Since enactment, American families have used the law more than 100 million times. The law has given mothers and fathers the ability to care for a new baby or a seriously-ill child. The law has helped adults caring for a sick spouse, child, or parent with serious health conditions—a protection that will grow exponentially in importance as the generation of baby boomers age.

Despite the strides we have taken in protecting our workers, many Americans are not able to take advantage of the time off and protections offered under the Family and Medical Leave Act. For example, businesses with fewer than 50 employees are exempt from the law, leaving tens of millions of workers ineligible. The need for continued improvement to federal law is clear from the story of Toya, as told by the Family Values at Work organization. Working as a substitute teacher at the grade school level, Toya needed to take time off to care for her sick children. After several days her boss posed a question to her that should never be asked: "What's more important, your children or your job?" Upon choosing her children, she was told her services were no longer needed. Federal law should not condone, support, or facilitate these situations.

The anniversary of this legislation provides an opportunity to re-affirm that our nation is committed to fair benefits for all workers and to serve as a launching point to strengthen federal laws protecting workers. I celebrate this law and the relief it provides daily to millions of Americans, allowing them the ability to securely take leave from work in order to accommodate emergencies. Such protections constitute a worker's right, not a privilege. On this anniversary, we should examine the law's success as well as areas for improvement. I celebrate the 20th anniversary of the Family and Medical Leave Act and the piece of mind

it gives families so that they can care for loved ones knowing that their jobs will be waiting for them.

THANKING GORDON BEAUDOIN FOR HIS SERVICE TO THE HOUSE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mrs. MILLER of Michigan. Mr. Speaker, on the occasion of his retirement on February 28, 2013, we would like to thank Mr. Gordon Beaudoin for his twenty-three years of distinguished service to the United States House of Representatives. Gordon has served this great institution as a valued employee of House Information Resources (HIR), within the Office of the Chief Administrative Officer (CAO).

Gordon began on the Hill in 1990 as an onsite Voice Service Manager with an outside contractor. He was responsible for all telephone services for the House, the Library of Congress and the Supreme Court. He retired from the company in 2000, and became a full-time employee for the House on April 16, 2001.

Gordon's first responsibility as Manager of the Voice and Video Branch was to sustain existing systems and ensure the best level of voice service was provided to the House community. After September 11, 2001, Gordon's team was tasked with identifying and resolving vulnerabilities in the voice systems necessary for Congress to perform its duties.

Gordon directed the development of a voice network recognized by industry experts as one of the most reliable and sustainable in the country. His team completely revamped the voice system hardware and software to provide multiple backups and redundancy. Additionally, he directed his team to completely redesign the network used to transport phone calls. It was an amazing improvement to reliability of service and one in which Gordon is extremely proud to have been a part.

Then, Gordon's responsibilities focused on the tracking and implementation of new technology in the House community. Gordon had the foresight to initiate projects which will continue to provide House customers with the world class service they expect from the CAO. Based on his vision, the voice network is being converted to an IP based system in order to provide many benefits now as well as in the future. Additionally, the voicemail system is being upgraded to provide new features and functions allowing customers to communicate in more collaborative ways.

On behalf of the entire House community, we extend congratulations to Gordon Beaudoin for his many years of dedication, outstanding contributions and service to the United States House of Representatives.

We wish him many great years in fulfilling his retirement dreams.

INTRODUCTION OF THE WELFARE INTEGRITY ACT OF 2013

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FINCHER. Mr. Speaker, I rise today to discuss the importance of Washington ending the cycle of drug abuse by allowing states to perform random drug tests to receive the Temporary Assistance for Needy Families (TANF) benefits.

The time is now to stop the cruel cycle of drug abuse. Currently, Washington enables people who are addicted to drugs by allowing them to participate in the TANF program while still abusing drugs. This program was designed to provide a safety net for families and children in their time of need. Instead Washington is enabling the drug abuse cycle to continue because Washington does not demand folks who use the program to be drug free.

If Washington wants to help families move toward economic stability it must end the cycle of drug abuse and encourage individuals to become healthy. By allowing for random drug checks, it can ensure that families receiving TANF benefits use the funds for the intended purpose of feeding, clothing, and providing shelter for children while cutting the ties that enables the cycle of drug abuse.

The Welfare Integrity Act of 2013 requires each state participating in the TANF program to certify that applicants and current recipients are being randomly tested for illegal drug use. In order to pass constitutional muster, the Welfare Integrity Act of 2013 requires states to provide a consent and waiver form where applicants are given the choice to waive their Fourth Amendment Rights and submit to a random drug test. The Supreme Court has ruled several times individuals have the right to waive their Fourth Amendment rights. Bottom line, the choice is yours.

Mr. Speaker, I urge my colleagues in the House to support me in passing the Welfare Integrity Act of 2013 to eliminate abuse and ensure the benefits are used for the purpose intended, to protect children.

RECOGNIZING CAPTAIN KRISTIAN P. BIGGS FOR THIRTY YEARS OF SERVICE IN THE UNITED STATES NAVY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Captain Kristian P. Biggs for thirty years of dedicated service in the United States Navy. Captain Biggs will retire as the Director of Missile Defense and Integration in the Office of the Deputy Assistant Secretary of the Navy for Ships.

Captain Kris Biggs was born on July 23, 1961 in Jacksonville, Florida. He earned a Bachelor of Science Degree in Physics (Departmental Honors) and Mathematics at Jacksonville University, where he received a commission in April 1983 as an Ensign, via the NROTC program, into the Restricted Line (Engineering Duty Officer). He holds a Master of Science Degree in Engineering Acoustics from the Naval Postgraduate School in Monterey, California, and is a graduate of the Advanced Program Manager's Course from the Defense Systems Management College in Fort Belvoir, Virginia.

After completing the Surface Warfare Officer School Basic Course in Coronado, California, he reported to the USS *Lang* (FF–1060) where he qualified as a Surface Warfare Officer while serving as Antisubmarine Warfare Officer, Assistant Navigator, and Personnel Officer. In September 1986, Captain Biggs entered the Naval Postgraduate School in Monterey, California and graduated in December 1988 with a Masters Degree in Engineering Acoustics. After attending the Engineering Duty Officer Basic Course in Mare Island, California, Captain Biggs reported to Commander, Operational Test and Evaluation Force in Norfolk, Virginia where he served as the Operational Test Director for the AN/SQQ–89(V) ASW Combat System from 1989 to 1993. During this time he completed the Engineering Duty Officer Qualification Program and participated in the planning and execution of the USS *Arleigh Burke* (DDG–51) Operational Evaluation. Captain Biggs' next assignment was Combat Systems Officer on USS NASSAU (LHA–4) in Norfolk, Virginia, where he reported in 1993 following the Surface Warfare Officer Department Head Course in Newport, Rhode Island.

Captain Biggs reported to Program Executive Officer for Undersea Warfare in Crystal City, Virginia in the fall of 1995. His initial assignment was as an Assistant Program Manager in the Naval Signal Processors Program Office (PMS 428). Following the Advanced Program Manager's Course at DSMC in 1997, Captain Biggs was assigned to the Undersea Weapons Program Office (PMS 404) where he worked on advanced technology. He was selected to become a member of the Acquisition Professional Community and completed his Level III Program Management qualification. In 1998, Captain Biggs was assigned to the Program Executive Officer for Theater Surface Combatants where he served as the Navy Area Theater Ballistic Missile Defense (TBMD) Test and Evaluation Branch Head in the Navy Area TBMD Program Office (PMS 451). From August 2000 to July 2002, he served as the Navy Area TBMD Systems Engineering Branch Head.

In August 2002, Captain Biggs reported to Program Executive Officer for Integrated Warfare Systems (PEO IWS) Detachment Huntsville, Alabama where he served as the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System (JLENS) Deputy Project Manager (Navy) in the Army Program Executive Officer for Air, Space and Missile Defense. He went to Afghanistan in 2003 and Iraq in 2004 in support of Operations ENDURING FREEDOM and IRAQI FREEDOM. He was promoted to Captain in July 2004.

In October 2004, Captain Biggs became the 11th Commanding Officer of Aegis Technical Representative in Moorestown, NJ. Under his leadership, the command earned ten field activity excellence awards (five from PEO IWS and five from Aegis BMD) and was awarded the Meritorious Unit Commendation for its critical role in the historic ''Satellite Shootdown.'' He reported to the Office of the Deputy Assistant Secretary of the Navy for Ships in August 2010.

Captain Biggs' personal decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal with one gold star, Navy Commendation Medal with three gold stars, Army Commendation Medal, Navy Achievement Medal and various service related awards and campaign ribbons.

Captain Biggs is married to the former Marina Reese. The Biggs' have four children; Justin, Eric, Juliana, and Joshua.

Mr. Speaker, I ask my colleagues to join me in honoring Captain Kristian P. Biggs for his thirty years of service to our country. Captain Biggs has demonstrated a deep commitment to the security of our nation. His exemplary career is a testament to the level of dedication exhibited among our men and women in the armed forces. I would like to personally wish him the best of luck in his future endeavors.

NATIONAL MARFAN AWARENESS MONTH

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ISRAEL. Mr. Speaker, I rise today on behalf of the hundreds of thousands of Americans affected by Marfan syndrome and related heritable connective tissue disorders across the country.

As February marks National Marfan Awareness Month, it is important to raise awareness to this rare genetic condition. About 1 in 10,000 Americans carries a genetic mutation that impacts connective tissue throughout the entire body. Patients often have disproportionately long limbs, a protruding or indented chest bone, curved spine, and loose joints. However, these are not what most concern Marfan syndrome patients. Internal organs have connective tissue and in Marfan patients the aorta, the large artery that carries blood away from the heart, is weakened and prone to enlargement and potentially fatal rupture.

This year marks the 30th anniversary of the enactment of the Orphan Drug Act. While we have made great strides in addressing rare conditions since the Orphan Drug Act first became law, we must not lose sight of the work that still needs to be done. Patients with Marfan syndrome and related disorders rely on us to provide investment in critical research activities so that treatment options can be improved and, most importantly, so that cures can be found.

I am proud to represent the nation's foremost organization working to support the Marfan community, the National Marfan Foundation, based in Port Washington, New York. The Foundation was founded in 1981 by Priscilla Ciccariello, and since then the Foundation has worked to improve the lives of those affected by Marfan syndrome and related disorders by promoting research, raising awareness, and providing support to those afflicted with Marfan.

I urge my colleagues to join me in recognizing National Marfan Awareness Month. I look forward to working with colleagues from both sides of the aisle to make critical investments in medical research and treatment to save the lives of people across the United States.

RECOGNIZING COOK COUNTY SPELLING BEE CHAMPION ALIA ABIAD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Alia Abiad, winner of the Cook County Spelling Bee.

Alia Abiad is a 7th Grader at McClure Junior High School, and a resident of my hometown of Western Springs, IL. In addition to being a skilled tennis player and violinist for the Chicago Youth Symphony Orchestra, her recent performances in local Spelling Bees have demonstrated that she is an extremely dedicated and talented young woman.

Alia diligently practices her spelling independently and with her parents every day. She also gains her edge by reading books intended for an audience well beyond her age.

Alia initially won the title of best speller at McClure Junior High, and then went on to win the Cook County Regional Spelling Bee. In these competitions she maintained a perfect record, spelling every word correctly. Alia will be representing her school and her peers at the Scripps National Spelling Bee in Washington, DC this upcoming May.

This victory is a reminder of how preparation, practice, and perseverance produce solid results, even when facing difficult challenges. I call on all my colleagues to join me in congratulating Alia Abiad for her tremendous accomplishment.

RECOGNIZING SUSAN RIGBY AS THE 2014 ESCAMBIA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Susan Rigby as the 2014 Escambia County, Florida Teacher of the Year. Mrs. Rigby has been an inspiration to her students, her colleagues, and our community; and I am honored to recognize her success and achievements.

In 1983, Mrs. Rigby graduated from the University of West Florida with a bachelor's degree in Business Management, and in 2005 she earned a master's degree from the University of West Florida in Clinical Teaching and Special Education. However, Mrs. Rigby's passion for teaching began well before 2005. Since 1989, Mrs. Rigby has served the students and community of Northwest Florida, both in the Escambia County and Santa Rosa County school districts. Mrs. Rigby initially served an ESE Teacher Assistant and Substitute Teacher for the Escambia County School District from 1989 to 1999. Since then, she has served twice as an ESE Teacher for Pine Forest High School, Math Teacher for Navarre High School, and is currently the an Algebra 1A Co–Teacher at Pine Forest High School.

The superb quality and effectiveness of the schools in Northwest Florida can no doubt be credited to educators like Susan Rigby. Mrs. Rigby understands the invaluable role teachers play in the lives of their students, and she possesses an unwavering commitment and fervor. She is an exemplary teacher who believes encouraging her students to reach their highest potential is most crucial to the learning experience. The enthusiasm demonstrated by Mrs. Rigby's students is truly a testament to her dedication and desire to see her students achieve both in and out of the classroom.

Aside from her involvement at Pine Forest High School, Mrs. Rigby dedicates her time to various community events such as Relay for Life, We Believe in Children 5K, as well as projects that benefit underprivileged classrooms. Mrs. Rigby's efforts and devotion have not gone unnoticed, and she has been honored for her years of teaching secondary education. In 2004, she was awarded the University of West Florida, Outstanding College of Education Student. She was also the recipient of the Pine Forest High School Teacher of the Year, as well as the Walmart Selection Teacher of the Year in 2005.

Mr. Speaker, I am proud to recognize Mrs. Susan Rigby as the 2014 Escambia County Teacher of the Year. My wife Vicki joins me in congratulating Mrs. Rigby, and we wish her all the best for continued success.

THE GREEN MOUNTAIN LOOKOUT HERITAGE PROTECTION ACT

HON. SUZAN K. DelBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. DELBENE. Mr. Speaker, I rise today to introduce the Green Mountain Lookout Heritage Protection Act, along with my colleague Congressman LARSEN. Green Mountain Lookout, located in the Glacier Peak Wilderness, was built in 1933 as a Civilian Conservation Corps project. During the Second World War, the lookout was used to detect fires and to spot enemy aircraft. It is no surprise that with such a rich history, the Green Mountain Lookout is listed on the National Register of Historic Places.

Unfortunately, severe weather caused the Green Mountain Lookout to fall into disrepair, and the U.S. Forest Service began taking steps to preserve the historic structure for future generations. However, a group based out of Montana filed a lawsuit against the Forest Service for using machinery in order to conduct repairs, and a U.S. District Court ordered the Forest Service to remove the lookout. This legislation would protect the Green Mountain Lookout, one of the few surviving fire lookouts in the West, by allowing critical maintenance while keeping this iconic structure in its original home.

The Green Mountain Lookout represents a significant piece of the Pacific Northwest's history and it deserves to be protected for outdoor enthusiasts to enjoy today and in the years to come. I urge my colleagues to preserve a part of our Nation's history by supporting this bill.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE INTEGRATION OF THE UNIVERSITY OF ALABAMA

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the 50th Anniversary of the integration of the University of Alabama in Tuscaloosa, Alabama.

This weekend, a bi-partisan congressional delegation led by Representative JOHN LEWIS (D–GA) will travel to Alabama as a part of the 13th annual Faith & Politics Congressional Civil Rights Pilgrimage. I have the great pleasure of co-hosting the delegation with my fellow Alabama colleagues Representatives SPENCER BACHUS (R–AL) and MARTHA ROBY (R–AL). The Pilgramage allows participants to retrace the steps of our nation's Civil Rights icons through the historic civil rights sites in Tuscaloosa, Birmingham, Montgomery, and Selma. It is also a time to reflect on our painful past while acknowledging our current progress.

This year marks the 50th Anniversary of so many significant civil rights events that occurred in 1963. One of those events was the infamous stand taken by then Governor Wallace at the doors of the University of Alabama to prevent black students from registering. The University of Alabama has come a long way since that infamous day to promote racial diversity within its student body, faculty, and administration.

Today, I pay special tribute to the University of Alabama and commemorate the 50th anniversary of a pivotal event in the struggle for racial equality in America. I believe it is important that we must acknowledge our painful past and frame its significance in the global fight for civil and human rights. The history of the State of Alabama must be embraced for the critical role it played in the Civil Rights Movement which caused a global movement for the quest of human dignity and rights around the world. We, in the 7th Congressional District of Alabama, pay tribute to the University of Alabama, one of the crown jewels of higher education in our district, and honor the courage of the black students—Autherine Lucy, James Hood, and Vivian Malone—who paved the way for the multitude of successes the University enjoys today.

On June 11, 1963, two African-Americans, James Hood and Vivian Malone attempted to enroll at the University of Alabama. Prior to their attempts, only one African-American, Autherine Lucy, had been successful in registering and actually attending classes at the institution.

In 1957, Autherine Lucy and Polly Anne Myers filed suit against the University to clarify their rights and obtain an injunction after being denied admission based on race. The injunction was granted and Ms. Lucy was eventually admitted to the University. She became the first African-American to attend a white public school or university in the State of Alabama. However, she was unfairly expelled after just three days when the University suggested that her presence was a nuisance to the campus because they could not provide a safe environment for the young student.

In 1963, pursuant to the same injunction, James Hood and Vivian Malone made a second attempt to fully integrate the University. Upon their arrival to the Tuscaloosa campus, former Alabama Governor George Wallace attempted to block Hood and Malone from entering Foster Auditorium to register for classes. As the world watched, Governor Wallace's attempts to prevent integration of the University of Alabama were recorded in our Nation's history as "The Stand in the Schoolhouse Door." Governor Wallace was determined to defend his now infamous declaration: "Segregation Now, Segregation Tomorrow, and Segregation Forever." But his efforts to halt progress were short lived. Later that day, Hood and Malone with the support of a federal court order and members of the Alabama National Guard, were eventually allowed to register for classes and pursue their degrees. They are forever recorded in our nation's history as two of the first African-American students to attend the University. Vivian Malone was the first African-American to graduate from the University of Alabama and James Hood later received his doctorate from the University.

Today, "The Stand in the Schoolhouse Door" is remembered as a pivotal moment in the civil rights movement. As we commemorate the 50th anniversary of this historic event, we recognize its significance in the quest for justice and equality. While there were dark moments, the events of that day are now seen as a catalyst on our road to forming a more perfect union.

Today, the University of Alabama stands as a beacon of inspiration. The diversity represented in today's student body is a visible reminder of the sacrifices of Autherine Lucy, James Hood and Vivian Malone. Because of their bravery and courage, the University of Alabama now boast a widely diverse student body, an outstanding academic curriculum and a world class athletic program. Today, the University of Alabama is ably led by its first woman President, Dr. Judy Bonner. We recently celebrated having the number one collegiate team in four NCAA sports—including women's gymnastics and football being named the BCS National Champions for the second year in row.

As a benefactor of the courageous contributions of Autherine Lucy, James Hood and Vivian Malone, I am humbled by the opportunities their bravery has afforded all black Alabamians. As Alabama's first African-American Congresswoman, I know that my journey would not be possible without their sacrifices.

On behalf of the 7th Congressional District, the State of Alabama and this nation, I ask my colleagues to join me in paying tribute to the University of Alabama and its important place in our nation's history.

Roll Tide!

IN HONOR OF THE 52ND ANNIVERSARY OF PEACE CORPS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the 52nd anniversary of Peace Corps. For over 5 decades, through war and conflict, Peace Corps has sent Americans to distant lands to serve others in the common cause of global peace. Since 1961, over 210,000 Americans have served at the request of 139 developing countries. I am proud to be a part of these ranks. Peace Corps changed my life. And it changes the lives of those who serve and the communities that are served.

As I speak, over 8,000 Americans are serving in 76 countries. This includes my constituent Nelly Alcantar from King City, CA. Nelly is helping English teachers with lesson planning, classroom management and language development in Panama. She also started an adult community English course. Then there's Jonathan Lupisan from Salinas, CA. He's a Community Health Education Volunteer in Suriname who helped build a computer lab at the local primary school and developed illustrations for a water and sanitation project manual.

Mr. Speaker, I commend Nelly, Jonathan and the hundreds of thousands of other Peace Corps Volunteers, past and present for fulfilling the vision of President John F. Kennedy. You represent America's highest ideals: peace, equality and friendship. Thank you for your service.

TRIBUTE TO MAYOR CARROL DAUGHERTY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to Mayor Carrol Daugherty, a respected public servant and good friend who is stepping down after 42 years at helm of the Town of McIntosh, Alabama.

Born and raised in McIntosh, Mayor Daugherty is a graduate of Leroy High School and Huffstetler Business College in Mobile.

A consummate businessman and civic leader, he founded CMS Construction Company in Saraland. While many would be content to focus all their talents toward leading an important and successful business, like CMS Construction, Mayor Daugherty has devoted an equal amount of time to improving his community and South Alabama through a combination of public service and volunteerism.

It must be noted that Mayor Daugherty's community service achievements are far ranging and considerable. He helped organize McIntosh Christian Academy. He was a founder and board member of Southwest Bank, formerly known as Washington County State Bank. He is a former Board Member of Friends of Searcy Hospital in Mt. Vernon; Board Member of North Mobile Community Hospital in Satsuma; Charter Board Member of Southwest Alabama Health Services in McIntosh and a Charter Member and one of the organizers of the McIntosh Betterment Association.

Mayor Daugherty helped organize the McIntosh Volunteer Fire Department and was a staunch supporter of the McIntosh Rescue Squad. Furthermore, he helped establish the McIntosh Public Branch of the Washington County Library with the help of his late wife, Melva Jean, and area industry leaders.

Mayor Daugherty is a former Board Member of the Alabama Sheriffs' Boys Ranch and was appointed by Governor George C. Wallace to serve on the Board of Directors of the Alabama Department of Labor Management Committee.

He also was the Business Representative of Millwright Local 2734 for 32 years, Secretary for the Carpenters, Millwright and Pile Drivers Mobile District Council for 29 years, and President of the Alabama State Council of Carpenters for 18 years.

Given all these accomplishments, it is remarkable that Mayor Daugherty also found time to lead the Town of McIntosh for all 42 years since its incorporation in 1970. Yet, he has done just that with an equal dedication to public service and integrity.

On behalf of the people of South Alabama, I wish Mayor Daugherty the very best as he leaves public service and embarks on a well–deserved retirement.

INTRODUCTION OF THE SOCIAL SECURITY IDENTITY DEFENSE ACT OF 2013

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. PETRI. Mr. Speaker, today I am introducing the Social Security Identity Defense Act of 2013, legislation to enhance the ability of the Internal Revenue Service to fight identity theft when that agency becomes aware of the fraudulent use of a taxpayer's personal information.

This legislation is a direct response to the experience of constituents of mine in Princeton, Wisconsin. During a routine review of his credit report, my constituent found accounts opened by another person using his Social Security number. This discovery raised many concerns, not the least of which was that this person's income might be reported to the IRS under his Social Security number. Upon contacting the IRS, he was told that the IRS knew of the situation and that they had known about it for some time.

Not surprisingly, this answer was not altogether comforting. The IRS knew that someone else had been using his Social Security number, but kept that information under lock and key. While the IRS remained silent, additional frauds were committed, resulting in the further misuse of my constituent's personal information by another person to establish a fraudulent credit history. When he raised this issue with the IRS, he was astounded by the agency's answer. Privacy statutes prevent the IRS from discussing the return information of one taxpayer with anyone else. In the view of the IRS, the fraudulent use of my constituent's Social Security number was the personal return information of another taxpayer, and this fraud could not be disclosed to the rightful owner of that personal identifier, even if this disclosure would help prevent additional frauds.

This policy makes no sense and actually puts the IRS on the wrong side in the fight against identity theft. My legislation aims to correct this problem by changing the privacy statutes to direct the IRS to inform a taxpayer when the agency learns through its normal course of business that a Social Security number assigned to that taxpayer has been used fraudulently by another worker.

Both Congress and our administrative departments and agencies, including the IRS, have made progress in combating identity theft, but more needs to be done. For this reason, the Social Security Identity Defense Act would provide an additional vital tool for our government to deploy.

Under this legislation, the IRS would be required to share any information in its possession about the fraudulent use of a taxpayer's personal information with that information's rightful owner. The agency also would be directed to transmit information that may be evidence of an identity theft to the FBI so that the Bureau can make this material available to state and local law enforcement agencies upon their request. Finally, the Social Security Identity Defense Act calls for the IRS to direct employers not to include a Social Security number on a W–2 form when that agency is aware that the employee is making fraudulent use of that number.

These are important steps forward. They will empower both citizens and law enforcement agencies in their efforts to combat identity theft, and they will limit the use of personal identifiers in the commission of future crimes. I urge my colleagues to join me in this effort by cosponsoring the Social Security Defense Act.

HONORING BRENDA LOVE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a minority businesswoman and entrepreneur, Mrs. Brenda Love.

Mrs. Brenda Love is a woman on the move and with many talents. She was born to Martha Lewis and the late Grant Jones, Sr. Until the age of 14, she was raised in New Orleans, Louisiana. Later, her mother relocated the family to Vicksburg, Mississippi to be closer to her grandmother, Mrs. Ola Mae Williams.

Mrs. Love credits her ambition to her mother, whom she learned from an early age to work hard, keep good credit, pay your bills, and take care of your kids.

Mrs. Love worked for the Federal Government for 20 years until she decided to step out on faith and follow her heart to being an entrepreneur. She is the owner of Love Income Tax Service, which has been in business for 17 years, with 6 full-time employees. She and her husband, Jacob, own Unique Banquet Hall, which is a thriving gathering place serving the Vicksburg area. She also is a Realtor-associate with Coldwell-Banker All Stars. Brenda, who has been married for 23 years to Jacob, has also owned and operated Unique Impressions Restaurant and Lounge. In her spare time, she loves to decorate and coordinate weddings. Mrs. Love is a member of the Warren County Board of Realtors and also serves on the board for the Vicksburg Convention Center and City Auditorium.

Mr. and Mrs. Love have three children, Jakayla, Jacob, and Manekia Love-Jackson and two grandchildren, Mikayla and Madison.

Mr. Speaker, I ask my colleagues to join me in honoring a minority businesswoman and entrepreneur, Mrs. Brenda Love.

ANNIVERSARY OF THE SUMGAIT POGROMS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. PALLONE. Mr. Speaker, again this year I stand to recognize an important period that remains a strong reminder that we must continue to address violent human tragedies whenever they occurred. The American and Armenian people use this time of year to recommit themselves to preventing any further violence. We do this because we mark the anniversary of the Sumgait pogroms where hundreds of Armenians were murdered as a result of long-running hostilities directed towards the Armenian people.

I ask that my colleagues join me in solemnly commemorating the death of these innocent lives. It was on the evening of February 27, 1988 that hundreds of Armenians were brutally murdered, some burned alive and others thrown from windows. Included in the violence was the rape of women and the maiming of children. Armenians saw their belongings stolen, their shops destroyed and thousands were displaced from their homes. To add to the human tragedy, police turned a blind eye thus allowing the pogroms to go on for three days.

Unfortunately, the underlying hostility that led to the outbreak and continued violence of the Sumgait pogroms continues to survive today. For more than two decades, authorities in Azerbaijan have attempted to ignore and cover up these crimes and have instead fostered hatred toward the Armenian people. In an affront to basic senses of justice, the Azerbaijani government recently pardoned Azerbaijani military officer, Ramil Safarov who was sentenced to life in prison in Hungary for murdering an Armenian military officer during a NATO-sponsored training program in 2004. I continue to be outraged by this promotion of violence against innocent Armenians.

I ask that my colleagues join me in calling on Azerbaijan to fully recognize the Sumgait pogroms and to give an accurate historical account of the events. I also ask my colleagues to join me in calling upon the Azerbaijani government to acknowledge Ramil Safarov as a convicted murderer and immediately take action commensurate with a democratic nation that supports justice under the rule of law. Azerbaijan must break from its current course and take action to create a peaceful future.

As co-chair and founder of the Congressional Armenian Issues Caucus, I know that the caucus will continue its work to ensure that the basic rights of life, liberty and security are promoted throughout the Caucasus region. We will continue to advocate for a peaceful resolution to conflict in the region. We will continue to call on Azerbaijan to cease its hostilities toward the Armenian people and stand for justice whenever it is violated.

RETIREMENT OF RICHARD HERTLING

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. SMITH of Texas. Mr. Speaker, the call to serve one's country comes to people in many different forms. Some protect our nation in the Armed Forces. Some are elected to public office. Others serve officials in the three branches of our government. But all work together to protect, preserve and uphold the founding principles of this great nation.

Richard Herding has spent the last 27 years serving his country in both the legislative and executive branches. A graduate of the University of Chicago Law School, he began his career at the U.S. Department of Justice. Since then he has worked for Senators, Congressional committees and a presidential campaign.

During the Bush Administration, he oversaw major policy decisions by the Justice Department as the Principal Deputy Assistant Attorney General for Legal Policy.

He also managed the Justice Department's communication with Capitol Hill as the Acting Assistant Attorney General of the Office of Legislative Affairs.

Most recently, he served as the Staff Director and Chief Counsel for the House Judiciary Committee, which I chaired in the last Congress. With Richard's help, the House Judiciary Committee passed more substantive bills than any other committee in the last Congress. His strategic thinking was instrumental in achieving this goal.

Today, Richard Hertling is retiring, and we in the House are losing a smart attorney and good friend. But the Senators, members of the House and staff who worked with him will also miss his tutorials in ancient history and his use of Latin in everyday conversations.

We thank him for his service to his country, and wish him the best on his well-deserved retirement.

IN HONOR OF QUEENS COUNTY EXECUTIVE DISTRICT ATTORNEY JESSE J. SLIGH

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MEEKS. Mr. Speaker, I stand here today to honor a respected leader in my community, Queens County Executive District Attorney Jesse J. Sligh. I have known Jesse Sligh for over 20 years and during that entire time his character and the way he conducts himself has been an example for all.

Since 1991, for twenty-two years, Mr. Sligh has served in the Queens County District Attorney's Office as an Executive of District Attorney Richard A. Brown's Special Prosecutions Division. The Special Prosecutions Division serves as a bridge between the Queens County District Attorney's office and the diverse people of Queens. The division proactively fights crime by building strong community partnerships, tackling quality of life issues, and spearheading crime prevention and mentoring programs that educate the youth of Queens about law enforcement and provide a positive structure for children who might otherwise head down the wrong path.

Mr. Sligh, the third of thirteen children, was the first member of his family to attend college, but not only did he attend college he graduated from the Ivy League Columbia University and then he earned his juris doctorate from Georgetown Law School here in Washington D.C. After that, he served our great nation as a Captain in the U.S. Army Jag Corps and earned an exemplary trial record in the process. In 1982, he joined the Queens County District Office. Jesse Sligh's talent impressed his supervisors and continued to impress them until he reached the position of Executive District Attorney. Thirty-one years later he still serves Queens County.

On Feburary 20, 2013 the Queen's County District Attorney office honored Jesse Sligh as a part of a Black History Month Celebration and I want to honor him today as well. Jesse, a man of great faith, is a founding member of the Erie Avenue Baptist Church in Philadelphia and he is a member of the Queens Executive Board for the Boy Scouts. Jesse has been a mentor to young and old, he is a true friend to everyone he has known, and he always offers help in times of need. I applaud Mr. Sligh for all he has accomplished and his service to our Country, his family, public service and God. I am proud that he is a member of my district.

Jesse, we thank you for your good and faithful work.

IN MEMORY OF MRS. ATHERLENE MONROE

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a spiritual leader and a pillar of Houston's Sunnyside community, Mrs. Atherlene Monroe. With extraordinary dedication, Mrs. Monroe devoted her life to the spiritual instruction of others and her family.

Mrs. Monroe was born in Houston, TX on February 6, 1935. Her parents instilled within her an unshakeable faith, and a desire to spiritually mentor as well as teach others. On December 20, 1953, Mrs. Monroe met and married another pillar of the Sunnyside community, Reverend Rugley Monroe. Jr., Pastor of the El Bethel Missionary Baptist Church. Together Reverend and Mrs. Monroe raised three sons as well as one daughter. They worked to serve their community as well as save the souls of a multitude of people.

Mrs. Monroe served in several roles at the El Bethel Missionary Baptist Church and the local spiritual community. Through her selfless hard work and integrity, she eventually became a member of the choir, president of the Women's Mission, as well as treasurer of the Southside's Minister's Wives Union organization. She was also a faithful companion to her husband of 59 years in all his endeavors.

Finally, Mr. Speaker, Mrs. Monroe will be missed dearly by a host of family and friends. The family includes her husband, four children, Rugley Monroe, III, Angeline Stewart, David Monroe, Sr., and Patrick Monroe, Sr., as well as her nine grandchildren, twelve great-grandchildren, and one great-great grandchild. Mrs. Monroe will be remembered in the Sunnyside community as an exemplar of a faithful Christian lady, wife, mother, and teacher.

TRIBUTE TO JOHN DUDLEY TERRELL, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the memory of an American hero and a good friend, Mr. John Dudley Terrell, Jr., who recently passed away at the age of 91.

A native and lifelong resident of Mobile, Mr. Terrell graduated from McGill Institute and attended Springhill College.

Like many Alabamians of his generation, John answered his country's call to serve during World War II. As a young lieutenant with the Army Air Corps, he flew 51 combat missions at the controls of a B24 Liberator bomber in the European Theater of Operations.

His considerable wartime experience included participation in three historic battles: Air Offensive Europe, The Rome-Arno Campaign, and the Battle of Normandy where his bravery and combat piloting skills no doubt helped to advance the Allied efforts against the Axis powers.

For his courageous service, he received the Distinguished Flying Cross, the Air Medal with two Oak Leaf Clusters and the European Theater Medal with three Bronze Stars.

After the Allied Victory in Europe, Mr. Terrell left the Army Air Corps to return to civilian life where he traded his role as an aviator for that of an Independent Insurance Agent in his hometown.

He partnered with business associates to form the Robertson, Grove and Terrell Agency. Later he joined W.K.P. Wilson and Son's, Inc. During his long and successful career in the insurance industry, he distinguished himself as exceptional businessman. Among his achievements, he was presented the Chartered Property Casualty Underwriter (CPCU) designation. He later joined TriCorp, Inc., where he worked until his well-deserved retirement.

John was a longtime member of St. Ignatius Catholic Church of Mobile. He was also an active member of numerous local community service organizations including several mystic societies.

On behalf of the people of South Alabama, I wish to extend my personal condolences to his wife of 60 years, Annunziata, their three children: Liz, John III, and Kathleen, and their 10 grandchildren. You are all in our thoughts and prayers.

STOP THE SEQUESTER

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. ESTY. Mr. Speaker, in Connecticut last week, I heard a lot of different fears from people in my district about sequestration. Almost everyone is worried about the economy. Small business owners and manufacturers in Torrington and Waterbury are worried about staying above water. Parents in Danbury are worried about their children's education. Social service providers in New Britain and Meriden are worried about losing funding to help seniors who need meal assistance and to help families who need housing assistance. People everywhere are worried about keeping their jobs.

And there's a question in common. With this imminent, self-inflicted threat to people's jobs and people's livelihoods, why isn't Congress doing anything about it? Why, at the very least, are we not voting on a balanced alternative?

Our constituents deserve more than an answer to that question, they deserve action. There is no reason businesses and families in Connecticut, or in any state, should be facing this catastrophe. It is entirely of our own doing but it's the folks back home that suffer the consequences.

I ask unanimous consent that the House now take up H.R. 699, the Stop the Sequester Job Loss Now Act, introduced by Mr. VAN HOLLEN to replace the sequestration with commonsense, cost-cutting policies—repealing subsidies for big oil and big gas, refocusing subsidies for big agriculture, and enacting a ''Buffet Rule'' so that the wealthiest are paying their fair share.

We should be allowed to vote on this bill, and we should vote to remove this threat to the well-being of folks in all of our districts who have worked so hard to get by and to bring our country back from recession.

HONORING AARON HONEYSUCKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Aaron Honeysucker. Aaron was born in Camden, Mississippi in 1948. He is the father of three adult children—Felicia A. Berry, Marcus M. Honeysucker, and Chelsie B. Coleman. Mr. Honeysucker is a retired military veteran who served during the Vietnam War.

While serving in the military, Mr. Honeysucker also worked as an insurance salesman from 1972–1980. He's currently a small business owner and sells real estate. Mr. Honeysucker graduated from Velma Jackson High School in 1967, Hinds Junior College in 1972, and Jackson State University in 1997.

Mr. Honeysucker is a member of several social & civic organizations including the Veteran of Foreign Wars, JSU Alumni Association, Blue Bengal Athletic Association, Woodhaven Homeowners Association, The Retired Active Reserve and Armed Forces Association, and Red Cross Volunteer.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Aaron Honeysucker for his dedication to serving to our great country.

CONGRATULATING THE 2012 NATIONAL ACADEMY OF INVENTORS' CHARTER FELLOWS

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the 101 inventors who were recently recognized at the University of South Florida in Tampa and inducted as the 2012 National Academy of Inventors' Charter Fellows by the United States Commissioner of Patents, Margaret A. Focarino. In order to be named as a Charter Fellow, these men and women were nominated by their peers and have undergone the scrutiny of the NAI Selection Committee, having had their innovations deemed as making significant impact on quality of life, economic development, and welfare of society. Collectively, this elite group holds more than 3,200 patents.

The individuals making up this year's class of Charter Fellows include individuals from 56 research universities and non-profit research institutes spanning not just the United States but also the world. This group of inductees touts eight Nobel Laureates, 14 presidents of research universities and non-profit research institutes, 53 members of the National Academies, 11 inductees of the National Inventors Hall of Fame, two Fellows of the Royal Society, five recipients of the National Medal of Technology and Innovation, four recipients of the National Medal of Science, and 31 AAAS Fellows, among other major awards and distinctions.

The contributions made to society through innovation are immeasurable. I commend these individuals, and the organizations that support them, for the work that they do to revolutionize the world we live in. As the following inventors are inducted, may it encourage future innovators to strive to meet this high honor and continue the spirit of innovation.

The 2012 NAI Charter Fellows include:

Dharma P. Agrawal, University of Cincinnati; Anthony Atala, Wake Forest University; Benton F. Baugh, University of Houston; Khosrow Behbehani, University of Texas at Arlington; Raymond J. Bergeron, University of Florida; Gerardine G. Botte, Ohio University; Robert H. Brown, Jr., University of Massachusetts Medical Center; Robert L. Byer, Stanford University; Sir Roy Calne, University of Cambridge; Curtis R. Carlson, SRI International.

Nai Yuen Chen, University of Texas at Arlington; Stephen Z. D. Cheng, The University of Akron; Paul C. W. Chu, University of Houston; James J. Collins, Boston University; James G. Conley, Northwestern University; Joseph T. Coyle, Harvard University; James E. Dahlberg, University of Wisconsin-Madison; Roger J. Davis, University of Massachusetts Medical Center; Sandra J. F. Degen, University of Cincinnati; Hector F. DeLuca, University of Wisconsin-Madison.

Donn M. Dennis, University of Florida; Akira Endo, Tokyo University of Agriculture & Technology; Howard J. Federoff, Georgetown University; Thomas J. Fogarty, Fogarty Institute for Innovation; Kenneth M. Ford, Institute for Human & Machine Cognition; Eric R. Fossum, Dartmouth College; Robert C. Gallo, University of Maryland; Alan N. Gent, The University of Akron; Morteza Gharib, California Institute of Technology; Ivar Giaever, Rensselaer Polytechnic Institute.

Barbara A. Gilchrest, Boston University; Richard D. Gitlin, University of South Florida; Leonid B. Glebov, University of Central Florida; D. Yogi Goswami, University of South Florida; Mark W. Grinstaff, Boston University; Greg Hampikian, Boise State University; Barbara C. Hansen, University of South Florida; Patrick T. Harker, University of Delaware; Martin E. Hellman, Stanford University; Nick Holonyak, Jr., University of Illinois at Urbana-Champaign.

Leroy E. Hood, Institute for Systems Biology; Richard A. Houghten, Torrey Pines Institute for Molecular Studies; Ernest B. Izevbigie, Jackson State University; Stephen C. Jacobsen, University of Utah; Eric W. Kaler, University of Minnesota; Linda P. B. Katehi, University of California, Davis; Joseph P. Kennedy, The University of Akron; Sakhrat Khizroev, Florida International University; Sung Wan Kim, University of Utah; George V. Kondraske, University of Texas at Arlington.

John J. Kopchick, Ohio University; Roger D. Kornberg, Stanford University; Max G. Lagally, University of Wisconsin-Madison; Robert S. Langer, Massachusetts Institute of Technology; Brian A. Larkins, University of Nebraska-Lincoln; Victor B. Lawrence, Stevens Institute of Technology; Virginia M.-Y. Lee, University of Pennsylvania; Jean-Marie Pierre Lehn, University of Strasbourg; Shinn-Zong Lin, China Medical University; Thomas A. Lipo, University of Wisconsin-Madison.

Barbara H. Liskov, Massachusetts Institute of Technology; Alan F. List, H. Lee Moffitt Cancer Center and Research Institute; R. Bowen Loftin, Texas A&M University; Dan Luss, University of Houston; Robert Magnusson, University of Texas at Arlington; Richard B. Marchase, University of Alabama at Birmingham; Stephen W. S. McKeever, Oklahoma State University; Craig C. Mello, University of Massachusetts Medical Center; Shyam Mohapatra, University of South Florida; Theodore D. Moustakas, Boston University.

George R. Newkome, The University of Akron; C. L. Max Nikias, University of Southern California; David P. Norton, University of Florida; Julio C. Palmaz, U. of Texas Health Science Center at San Antonio; Thomas N. Parks, University of Utah; C. Kumar N. Patel, University of California, Los Angeles; Prem S. Paul, University of Nebraska-Lincoln; David W. Pershing, University of Utah; G. P. Peterson, Georgia Institute of Technology; Leonard Polizzotto, Draper Laboratory.

Huntington Potter, University of Colorado Denver; Paul R. Sanberg, University of South Florida; Timothy D. Sands, Purdue University; Raymond F. Schinazi, Emory University; Dean L. Sicking, University of Alabama at Birmingham; Oliver Smithies, University of North Carolina at Chapel Hill; Solomon H. Snyder, Johns Hopkins University; Franky So, University of Florida; M. J. Soileau, University of Central Florida; Nan-Yao Su, University of Florida.

Jack W. Szostak, Harvard University; Esther Sans Takeuchi, Stony Brook University; H. Holden Thorp, University of North Carolina at Chapel Hill; Charles H. Townes, University of California, Berkeley; John Q. Trojanowski, University of Pennsylvania; Roger Y. Tsien, University of California, San Diego; James L. Van Etten, University of Nebraska-Lincoln; James W. Wagner, Emory University; John E. Ware, Jr., University of

Massachusetts Medical Center; Herbert Weissbach, Florida Atlantic University; Shin-Tson Wu, University of Central Florida.

HONORING DOCTOR SUSAN M. WIDMAYER AND THE CHILDREN'S DIAGNOSTIC AND TREATMENT CENTER

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speak, today I rise in honor of Doctor Susan M. Widmayer and the Children's Diagnostic and Treatment Center (CDTC). I would like to honor both Susan and the CDTC on their excellent research on infant mortality and efforts to improve the lives of children and their parents.

Founded in 1983 by Dr. Widmayer, the Children's Diagnostic and Treatment Center in Broward County has made great strides in providing special care for children with disabilities and mothers with HIV. When the CDTC started, Florida had one of the worst infant mortality rates in the country. As a result, Dr. Widmayer and her staff committed to improving the health prospects of children throughout South Florida. Thanks in part to the research by the CDTC, world HIV transmission rates from mother to infant dropped from 25 percent in the mid '90s to around 3 percent today.

When no one else would care for the tens of thousands of children with impoverished parents, Dr. Widmayer answered the call. Approximately 70 percent of the Center's clients live in poverty, but that has not stopped the CDTC from providing prevention, intervention and treatment services. Every patient that walks into the CDTC is welcome, regardless of family income. By serving the specialized needs of these children, Dr. Widmayer is giving them the opportunity and care that no other institution would.

Today I would like to honor Dr. Widmayer and the Children's Diagnostic Treatment Center, and I hope that they will continue to serve our communities by improving the lives of children throughout South Florida.

IN COMMEMORATION OF THE 66TH ANNIVERSARY OF THE 2–28 MASSACRE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to observe the 66th commemoration of Taiwan's 2–28 Massacre. The Massacre was an anti-government uprising in Taiwan that began on February 28, 1947 and was violently suppressed by General Chiang Kai-shek's Chinese Nationalist Kuomintang (KMT) government during the following weeks. Estimates of the number of deaths are around 28,000.

In the fall of 1945, 50 years of Japanese occupation of Taiwan ended after Japan had lost World War II. In October of that year, the KMT-administered Republic of China (ROC) received administrative control of Taiwan. 16 months of KMT administration on Taiwan led to the widespread impression among the people of Taiwan that the party was plagued by nepotism, corruption, and economic failure.

Tensions increased between the Taiwanese people and the ROC administration. The flashpoint came on February 28, 1947 when in Taipei a dispute between a female cigarette vendor and an officer of the Government's Office of Monopoly triggered civil disorder and open rebellion by the native Taiwanese against the KMT repression.

During the following weeks, Chiang's government sent troops from China to the island. The Chinese soldiers started to round up and execute a whole generation of an elite of Taiwanese lawyers, doctors, students, professors etc.

It is estimated that up to 30,000 people lost their lives during the turmoil. During the following four decades, the Chinese Nationalists continued to rule Taiwan with an iron fist under a Martial Law that would not be lifted until 1987.

Mr. Speaker, the Massacre had far reaching implications. Over the next half century, the Taiwanese democracy movement that grew out of the event helped pave the way for Taiwan's momentous transformation from a dictatorship under the Chinese Nationalists to a democracy.

In some ways, the 228 incident was Taiwan's Boston Massacre for both events functioned as the cradle of a move by both peoples to full democracy and helped galvanize the strive to independence.

Mr. Speaker, I have said it before: Freedom is not negotiable. May the lessons learned from the 2–28 Massacre continue to inspire the people of Taiwan in their struggle for freedom, full independence, international participation, and for the continued enhancement of the mutual relationship between Taiwan and the United States.

Mr. Speaker, I urge my colleagues to join me today in commemorating this important historical event.

BLACK HISTORY MONTH

HON. JOE GARCIA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. GARCIA. Mr. Speaker, I rise today in observance of Black History Month—an opportunity to celebrate the rich legacy of African-Americans and the many ways they have shaped our Nation's history.

This Black History Month, we commemorate two landmark anniversaries in American history: the 150th anniversary of Emancipation Proclamation and the 50th anniversary of the March on Washington. Separated by a century, these two seminal events underscore what the Reverend Martin Luther King, Jr., once said—that ''the arc of the moral universe is long but it bends towards justice.'' Each successive generation of Americans must always do their part to build on the progress of those who came before them in order to advance the ideals of freedom and equality upon which our Nation was founded.

In South Florida, we have benefited tremendously from trailblazing African-American leaders who have broken through color barriers in order to contribute to our communities and our country.

They include individuals who served our country bravely, including Lt. Col. Eldridge Williams—one of the legendary Tuskegee airman—and Col. Brodes Hartley Jr., who has been a leading civil rights leader in South Florida committed to improving quality health care access for low-income families. And also Reverend John A. Ferguson, who after serving in the Navy helped found a small congregation in Richmond Heights that would grow to nearly 800 under his leadership and today stands at over 1400.

They include leaders like Al Dotson Sr., a pastor who served as the first elected African American president of the Orange Bowl Committee and the Chairman of the Board of Trustees for Florida International University, as well as Mayor Otis Wallace, who has served Florida City as mayor for over twenty-eight years and is today the longest serving elected official in the State of Florida.

I could name so many others. South Florida is a better place because of their commitment to public service and their strong leadership.

EXPANDING THE DEPARTMENT OF VETERANS AFFAIRS DEFINITION OF ''HOMELESS VETERAN''

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. HAHN. Mr. Speaker, after over ten years of wars, we have a growing number of veterans in our nation. We have a responsibility to provide support and services for our soldiers once they return home. This includes the area of domestic violence.

Sadly, our brave soldiers who return home after protecting our nation are not immune from domestic abuse. As I've said previously, we have a duty to our veterans. However, current law fails to fully protect those veterans who have been driven from their homes because of domestic violence.

In order to reflect the modern day reality that there are more women in our military than ever before, it is important that we continue to update our laws to address emerging issues within this new trend.

The civilian definition of homelessness includes people fleeing from domestic violence. However, the current law the Department of Veterans Affairs uses to administer benefits for homeless veterans does not recognize those driven from their homes by abuse as homeless.

The full definition of ''homeless'' under the law includes the following: ''Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.'' However, the Department of Veterans Affairs currently defines ''homeless veteran'' based on an incomplete citation of the civilian homeless law.

That's why I have decided to reintroduce this bipartisan legislation with my colleague Congressman RUNYAN that would expand the Department of Veterans Affairs' definition of

"homeless veteran" to include veterans fleeing situations of domestic violence and other life threatening emergencies. As a result, this change will allow those veterans who find the courage and the means to leave their abusers the ability to access the benefits that should be available to all homeless veterans.

This legislation is a bipartisan common sense bill that adds no additional cost to the taxpayer. When we introduced this bill last Congress, we were able to garner 72 co-sponsors from both sides of the aisle. The legislation also had the support of a number of organizations including:

Veterans of Foreign Wars (VFW)
AMVETS
The National Coalition for Homeless Veterans
The Service Women's Action Network
The Association of the US Navy
The National Law Center on Homelessness & Poverty
Veterans for Common Sense
The National Association for the Education of Homeless Children and Youth
The National Coalition Against Domestic Violence

By passing this bill, we will ensure that this especially vulnerable population of veterans has the chance to access benefits the Department of Veterans Affairs already provides. After fighting for our country, our veterans should never find themselves without a safe home to come back to.

HONORING CAPTAIN TAMIKO WRIGHT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an active soldier, Captain Tamiko Wright.

Captain Wright is a 1996 graduate of Vicksburg High School. Upon graduating from high school, she attended the University of Southern Mississippi, where she earned her bachelor's degree in Kinesiology. She also holds a Masters in Business Administration (MBA) from Columbia Southern University and is currently seeking an additional Masters degree in Logistics.

Captain Wright is employed by the Combined Support Maintenance Shop (CSMS) at Camp Shelby, Mississippi where she is the Supervisor of Production Control. Captain Wright oversees the flow of approximately 1500 work requests per month on various types of military equipment. Her additional duties at CSMS include Anti-Terrorism Officer, Assistant Safety Officer, Hazardous Waste Management Coordinator, Sexual Harassment Officer, Assistant Operating Manager and SAMS–1E training officer.

Captain Wright and her husband, Larry Wright, reside in Hattiesburg, Mississippi and have two lovely daughters: Amari, 7 years old and Lorrie, 2 years old.

Captain Wright has dedicated over 12 years to the Mississippi Army National Guard. While doing so, she has served her country in deployments for Operation Iraqi Freedom to Kuwait and served on the S1 administrative staff for Operation Clean-Up during Hurricane Katrina.

Captain Wright is presently serving as Company Commander of the 1387th Quarter Master Water Supply Company in Greenville, Mississippi. Her successful career includes: Platoon Leader for D1 367th Maintenance Company, DeKalb, Mississippi; Executive Officer, 367th Maintenance Company, Philadelphia, Mississippi; and Acting Commander of the 367th Maintenance Company.

While attending Officer Candidate School (OCS), Captain Wright was named Outstanding Graduate for excellence in academics and leadership; she also received the Erickson Award for the candidate whose overall class ranking was number 1 based on overall criteria; and the Adjutant General Award for outstanding leadership ability. She also received numerous decorations and badges: the Army Achievement Medal, Army Commendation Medal, Army Reserve Component Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Armed Forces Reserve Medal with Device, Mississippi Longevity Medal, Mississippi Emergency Service Medal, Overseas Service Ribbon and the Army Service Ribbon.

Mr. Speaker, I ask my colleagues to join me in honoring an active soldier, Captain Tamiko Wright.

HONORING MAJOR GENERAL CARROLL THACKSTON

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HURT. Mr. Speaker, I rise today to recognize and honor the life of a remarkable public servant, my friend Major General Carroll Thackston, of South Boston in Virginia's 5th Congressional District.

Major General Thackston had a distinguished military career spending six years in the United States Army and 35 years in the Virginia National Guard, where he served as inspector general, commander of the 116th Support Battalion, state military personnel officer, chief of staff, assistant adjutant general, and adjutant general following his 1994 appointment by Governor George Allen.

As adjutant general, he provided encouraging words as he visited Virginia National Guard members; he helped those in need as he engaged in state emergency response operations; and he provided leadership as he oversaw the transition of Virginia National Guard operations to Fort Pickett.

The recipient of two Virginia Distinguished Service Medals, Major General Thackston will be remembered for his unwavering loyalty and true devotion to serving and protecting his fellow Virginians.

In addition to his role as a highly respected military veteran, Major General Thackston was also known for his service to his local community. He was a member of the South Boston Town Council and served as Mayor of South Boston. He also served on several boards including the Halifax County Chamber of Commerce, the Richmond and South Boston United Way, the South Boston School Board, and the YMCA.

Major General Thackston was a dear friend and he will be missed by our community. I ask my colleagues to join me in remembering a great Virginian and a truly dedicated public servant who not only made an impression on the lives of those of us in the Fifth District, but a man who made a difference in the lives of all Virginians.

SHELBY COUNTY V. HOLDER (VOTING RIGHTS ACT) BEFORE THE SUPREME COURT

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, the struggle for equality and justice through the Civil Rights Movement would not have attained its level of success without dedicated leaders such as Rosa Parks, Rev. Dr. Martin Luther King, Jr., Rev Jesse Jackson Sr., and my colleague, Representative John Lewis who put their lives on the line to make it so

So here we are, nearly 50 years after the Voting Rights Act was signed into law by President Lyndon B. Johnson, the Supreme Court heard Shelby County v. Holder, the outcome of which holds the possibility of setting our nation back centuries.

Much of the debate regarding Section 5 of the Voting Rights Act has been focused on the plight of the south and relevance to the southern perspective as it should. We are all too aware of the blood that was shed to demand basic human, racial equality. However, I stand here today in solidarity with my colleagues to lend a voice and perspective to this debate of Section 5 covered areas outside of Southern States. When most people think of Brooklyn, New York, a progressive mentality comes to mind. However, Brooklyn is likewise a Section 5 covered jurisdiction and historically "Brooklynites" have encountered voter discrimination tactics that has resulted in Kings County being subjected to the requirements of Section 5's preclearance rules and provisions.

In 1921, New York State enacted an English-only literacy test that remained on the books through the 1960s. During this time, New York State experienced a "Great Migration" from the South, as well as, from Puerto Rico and other areas of Latino decent. Most of these migrants lived in communities such as Harlem in Manhattan, the South Bronx, and the Bedford-Stuyvesant section of Brooklyn. At that time, New York State law included a literacy test which proved difficult, if not impossible for people with educational or language barriers. Coincidentally, there were three counties in New York City with low voter turnout in the 1968 elections, due in large part to the fact that these literacy tests could not be passed. This ultimately became the reason why jurisdictions for Section 5 preclearance were extended to specific counties in New York, in particular, Brooklyn, New York.

On May 10, 1967, a federal court ruled that the hodgepodge of gerrymandered congressional districts that snaked in and out of Bedford-Stuyvesant, Brooklyn were unconstitutional, in that they operated "to minimize or cancel out the voting strength of racial or political elements of the voting population, violated the recently passed Voting Rights Act and deprived one of the nation's largest and densest African-American communities the right to adequate representation.

Andrew W. Cooper, a community activist, was the impetus for this historic change. A year after the Voting Rights Act became law he sued New York State officials in a case called Cooper v. Power. The ensuing legal battle led to the redrawing of the now historically famous 12th Congressional District of New York (the district was later reapportioned to parts of the 11th District and now 9th Congressional District).

The ruling set in motion a monumental shift in voting rights in New York and beyond, redefining political representation for people of color. It was built on the foundation of civil rights gains made in the south and helped push the agenda for Voting Rights nationwide.

As a woman of color, a witness to the reelection of our nation's first Black President, and the U.S. Representative for the Ninth Congressional District, which is a majority-minority district covered under Section 5 of the Voting Rights Act, I am deeply concerned by the potential ramifications of this case and the impact of its ruling on people of color and their right to vote.

Most recently a Brooklyn elected official wrote an editorial questioning the validity and significance of Brooklyn's classification as a Section 5 covered jurisdiction. Brooklyn NY has one of the largest concentrations of people of color in the nation. It is also worth noting that another elected official from Brooklyn appeared in ''Black face'', just this Sunday. These types of hostile inquiries and acts erode the fabric of American democracy and speak to the heart of why Section 5 preclearance is vital to the realization of justice and equality.

In many areas, racially polarized voting and the intent to disenfranchise Black voters demonstrate that the requirements of Section Five remain crucial to the basic function of our democracy.

The 9th Congressional district of New York, which I presently represent, was birthed in 1965 when Andrew Cooper brought suit under the Voting Rights Act against racial gerrymandering and in response to widespread and prolific discriminatory voting practices in Brooklyn. This suit gave birth to New York's 12th Congressional district and the election in 1968 of Shirley Chisholm, the first Black woman ever elected to the U.S. Congress to whom I have the distinct honor and privilege of succeeding almost 40 years later.

Even in the years after the formation of the Congressional Black Caucus in 1971, people of color remain underrepresented at every level of elected offices.

These are just a few examples of why Section 5, and in particular its preclearance clauses, are essential to ensure that changes to voting rules and practices do not result in voter suppression, retrogression, and discrimination.

Without the existence of majority-minority districts, the voices of millions of Americans will be excluded from Capitol Hill; and their perspectives would not inform public debate. Without Section 5 covered districts, our democracy would exist in form, but not in fact.

When I was elected to Congress in 2006, and after Congress had just reauthorized the Voting Rights Act, I would never have thought that today we would be re-litigating issues that I believed were long since settled and resolved.

It took our nation over 200 years to obtain the victories of the Civil Rights Movement, now less than 50 years after the Voting Rights Act was signed into law are we truly to be believe that systemic racial discrimination and voter suppression has ended?, I think not!

These advancements in the struggle for equality, permitting All Americans to freely exercise their right to vote will take more than a lifetime to protect and preserve. Jurists of the Supreme Court, a word of advice- If it ain't broke, don't fix it!

ST. MARKS PAROCHIAL SCHOOL

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today in honor of St. Mark's Parochial School in Bristol Borough, PA. On December 27, 1887, St. Mark's Parochial School was opened and officially blessed, becoming the first parochial school in Bucks County. St. Mark's School was initially staffed by The Sisters, Servants of the Immaculate Heart of Mary, and Father Ward, who was Pastor of St. Mark Parish from 1879 to 1887, is considered the founder of Catholic education in Bristol. For the next 125 years, the school would become an integral part of the Bristol Borough community.

Thanks to its dedicated teachers and staff, St. Mark's Parochial School provides students with a high quality and well-rounded education in a Christian environment. It helps children develop a strong sense of morality and concern for their fellow neighbor. Further, members of St. Mark's routinely demonstrate an active presence in fostering their community. The school has become a great source of pride for the Borough of Bristol.

St. Mark's shows promise and growth as an institution and will continue to cultivate young minds. Because the school serves as a model of excellence in education and an active participant in community development, it is my pleasure to honor St. Mark's Parochial School of Bristol Borough on the floor of the U.S. House of Representatives.

SEQUESTER HARM IS ''ABSOLUTELY OVER-HYPED''

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DUNCAN of Tennessee. Mr. Speaker, Mayor Bloomberg says, ''Spare me!''

He said yesterday that the Administration's efforts to scare people about the sequester have gone too far.

He said, ''In all fairness, on Monday, we'll be able to police the streets.''

He said ''there's a lot of posturing'' and that statements about laying off employees, closing down hospitals, and letting prisoners go ''are not good for the country.''

The Mayor said, ''Spare me, I live in that world. I mean come on, let's get serious here.''

In today's National Journal Daily, Steve Bell, senior director of the Bipartisan Policy Center, says the sequester is ''absolutely over-hyped.''

He says, ''A sequester will occur and the next day the likelihood is that almost no one will know that it started.''

The choice is simple. We can cut now or crash in the very near future.

The press says the sequester will hurt the economy. Actually, the sequester is miniscule in comparison to the harm to our economy from the President's tax hikes, Obamacare, and environmental overkill.

HONORING MINNIE DODGE

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ms. Minnie Dodge, Administrative Manager for the Modesto Chamber of Commerce, who is retiring after 14 years of outstanding service to our community.

Ms. Dodge attended Boise State University. During her time in the state of Idaho, she worked for L.B. Industries, Inc., the Larry Barnes Foundation, and was the co-owner of Omega Construction.

Minnie then relocated to California, where she was hired at the Modesto Chamber of Commerce as the Customer Service Manager in February of 1999. During her years at the Chamber, she was on several committees, including the Ag Aware Luncheon, the Harvest Luncheon, the Good Egg Breakfast, and the Modesto Chamber of Commerce Leadership Steering Committee. In July 2002, Minnie was promoted to Administrative Manager.

Minnie and her husband, Tony Meli, will soon be moving back to Boise, Idaho. Her family includes children Nicole, Cherene and her husband Steve, and Shane and his wife Tracy; along with their grandchildren Emily, Ashley, Conner, and Jack.

Mr. Speaker, please join me in honoring and commending Minnie Dodge for her numerous years of selfless service to the betterment of our community.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, I was unavoidably detained in my district and missed the vote on Monday, February 25, 2013. Had I been present, I would have voted ''yea'' on rollcall No. 47, H.R. 667—To redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

HONORING JESSE J. JOSSELL, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize a remarkable veteran of the Korean Conflict from 1954–1957, Pastor Jesse J. Jossell, Jr., of Marks, Mississippi.

Jesse was born in Coahoma County on September 5, 1935 to the late Jesse J. and Cordelia B. Jossell, Sr. His family later moved to Quitman County, Mississippi where he attended school and in May 1954 he graduated from Marks Industrial High School. He received his Associate of Arts Degree from Coahoma Junior College in May 1959. In 1961, he received his Bachelor of Science Degree from Jackson State College, now Jackson State University. He also attended Howard University in 1965. In 1969, he earned a Master of Science Degree in Natural Science from Oklahoma State University and later a Master of Education Degree in Educational Administration and Supervision in 1973.

From 1960 until 1973, Jesse Jossell worked for the Quitman County School District in Marks, Mississippi as a classroom science teacher and science supervisor before accepting a principal position at the Falcon Junior High School in 1973.

In 1973, Jesse Jossell was asked to seek the office of Superintendent of Schools in the upcoming State and County Elections in 1975. Just four years earlier, the leadership in the black community under the new voting rights law sought to test this new tool. Jesse by far was the most attractive candidate and offered the best opportunity to elect an African-American to a countywide position. For two years, voter registration was the order of the day. More than 1,500 African-Americans were added to the voter rolls by qualifying deadline. Although Jesse and the other black candidates were not elected, three years later he was elected the first African-American to the Quitman County Board of Supervisors.

Jesse Jossell was later called into the ministry, where he has served as Pastor of Holly Grove Missionary Baptist Church since 1984. Through his work as pastor, he has provided child care to working mothers, especially single low-income and those trying to better themselves by going to school.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Jesse Jossell, Jr. for a life of dedication to bettering the lives of the least among us.

HONORING CONNECTICUT'S PEACE CORPS VOLUNTEERS

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the contributions of the 26 Peace Corps members from eastern Connecticut who are currently serving in the Peace Corps around the world. For five decades, the Peace Corps has supported international diplomacy through the promotion of peace, goodwill, and social and economic equality. I am proud that these young Connecticut residents have devoted part of their lives to help improve the lives of others.

Among these eastern Connecticut volunteers is Keith Esposito, a resident of Gales Ferry and a Boston University graduate who is teaching English in Ukraine. Emily Howell Heller, a Niantic resident and Connecticut College graduate, is serving in Panama as an Environmental Education volunteer. Justin Lamountain, who is serving in the Philippines, is a forest and land management consultant as part of the Peace Corps Response program.

Another volunteer, Chelsea Krieger, is serving as a HIV/AIDS technical health advisor in Malawi. Chelsea previously spent a year in Honduras through the Peace Corps; however, the Honduras program was suspended only a year into her service. Chelsea completed a Master's in Public Health and was motivated to apply for a Peace Corps response position to use her knowledge to assist those in need. Lantham Avery Jr. is currently serving in Kenya, a country currently experiencing unrest in the wake of the upcoming national elections. Additionally, one of my former interns, Gabrielle Tassone from Montville, is serving in Madagascar as an education volunteer. Other eastern Connecticut residents are serving in countries from Armenia to Tanzania to Gambia, and Kenya.

As we recognize the 52nd Anniversary of the founding of the Peace Corps program, it is important to recognize the over 210,000 American volunteers that have participated in this important service program. Volunteers have shown the international community the American value of service in over 139 countries. This program provides the best and brightest of our young people the opportunity to represent their country abroad, by teaching English, by assisting with economic development programs, and by providing necessary support to small communities throughout the world. As we begin Peace Corps month, I am hopeful that we can all recognize all of these invaluable contributions to American values and global understanding.

Mr. Speaker, I ask all my colleagues to join me in honoring these distinguished volunteers from Connecticut and across the country, for their contributions to the developing world and for embodying the core value of service we all share.

RECOGNIZING THE ALLIANCE FOR LUPUS RESEARCH'S 10TH ANNUAL WALK WITH US TO CURE LUPUS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the Alliance for Lupus Research's tenth annual Walk With Us To Cure Lupus. Since its creation, Walk with Us To Cure Lupus has promoted awareness in our community and raised over one million dollars in support of medical research aimed at curing this disease.

Lupus is a chronic autoimmune disease in which a person's immune system attacks normal, healthy tissues. The underlying causes are unknown, and there is no cure. This disease may cause damage to various parts of the body including skin, joints, and internal organs. As a chronic disease, those who suffer from lupus can endure months of symptoms that may reemerge as flares throughout their lives.

It is estimated that over 1.5 million Americans have lupus, including 100,000 people in my home state of Florida. The worldwide total is now over 5 million. It is important that we continue to support research to develop better treatments and find a cure, educate our friends, families, and health care professionals to improve diagnosis and treatment, and promote awareness of this disease and advocate on the behalf of those who are affected by it.

I am especially proud of the many Floridians who have contributed to these efforts. In particular, I would like to recognize my good friend and the district director for Florida's 21st Congressional District, Wendi Lipsich. Wendi was diagnosed with lupus 25 years ago. While she is well-known for her energetic advocacy on behalf of seniors, children, and families throughout our community, she deserves special recognition today for her contribution to the Alliance for Lupus Research. Ten years ago, with the help of her friends Allison Rubin and Randy Netko, Wendi launched the first annual Walk With Us To Cure Lupus event in South Florida. Eight hundred people attended the first walk in 2004 and raised $200,000. Each year since, hundreds of thousands of dollars have been raised exclusively for the purpose of research into curing lupus. In total, the Alliance for Lupus Research has committed $81 million to develop a greater understanding of this disease and find a cure.

This weekend on March 3, 2013, hundreds of participants will join together at Florida Atlantic University in Boca Raton, Florida to walk together in support of lupus research. I commend all of the participants and donors that will make the tenth annual Walk With Us To Cure Lupus a success. Congratulations to Wendi, Allison, and the other organizers of this year's walk. Together, you are providing hope to the millions of families touched by lupus and bringing our nation closer to finally discovering a cure.

INTRODUCING THE EVERGLADES FOR THE NEXT GENERATION ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Everglades for the Next Generation Act.

Everglades restoration is unfortunately at a standstill. All of the projects that can be started are already underway and nearing completion. It has been six years since the last Comprehensive Everglades Restoration Projects (CERP) were authorized. The Water Resources Development Act (WRDA) is supposed to be the vehicle for these authorizations, but clearly is not sufficient. In the 12 years since CERP was signed into law, Congress has passed only one WRDA bill. An awkward state of limbo is not the future Congress had in mind for the Everglades when it passed CERP, and it is not the future that the American people deserve. Congressional inaction has persevered for far too long despite bipartisan support for restoration.

Regardless of the real progress, restoration efforts will not succeed without the next generation of projects, which cannot begin without further Congressional authorizations. That is exactly what this bill does: authorizes the shovel-ready projects which have been awaiting another WRDA. Additionally, this legislation will make it easier for the Army Corps of

Engineers to move on many of the remaining projects in order to prevent future Congressional bottlenecking.

Restoration is not a theoretical exercise. CERP has demonstrable successes and biennial reports from the National Academy of Sciences. We know that the federal and state governments can successfully work together with private businesses and landowners to reach mutually beneficial agreements that restore the health of this unique, beautiful, wild, and wonderful resource that is absolutely essential for Florida.

I urge my colleagues to support critically important legislation.

STATEMENT ON SEQUESTRATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Ms. CLARKE. Mr. Speaker, I rise today to express my disappointment with the budget sequester that seems almost certain to occur. These automatic budget cuts will become effective tomorrow, Friday, March 1, 2013 unless Congress acts immediately. Many of my Democratic colleagues have proposed serious alternatives to the cuts, which I fully support.

Since the start of the 113th Congress, House Republicans have failed to bring a single bill to the floor that would prevent the cuts. The sequester will harm every American, especially the constituents of my district.

Estimates from the Center on Budget and Policy Priorities demonstrate that the Women, Infant and Children nutrition program will be unable to assist between 600,000 and 775,000 individuals. Low income families depend on food assistance programs. Too many children in my district come to school hungry, which leads to the inability to focus on their schoolwork.

Sequestration will also undermine federally-funded programs that provide low income, underinsured, and uninsured women access to breast and cervical cancer screening and diagnostic testing. The women in my community need these programs to receive proper treatment.

Layoffs and furloughs to the Social Security Administration will slow the processing of Social Security applications. Many of my constituents who are retired or have disabilities depend on Social Security. Americans have worked for their Social Security benefits, and have the right to expect service.

As a member of the Homeland Security Committee, I am concerned about cuts to airport security. This issue has enormous importance to me and my fellow New Yorkers, many of whom work in airport security at JFK and LaGuardia airports. The cuts present serious risks to the workers at these airports and to our national security. These men and women have dedicated their lives to serving this country to keep it safe. A reduction in security workers will increase complications in air travel and increase the possibility of danger to this nation and its people.

The sequester will also harm small businesses, by reducing support for loan programs administered by the Small Business Administration as well as government contracts, and training program for small businesses. I am extremely sensitive to the plight of small businesses, as a member of the Small Business Committee.

I urge my colleagues to prevent these cuts to important programs. Our constituents want us to compromise to prevent these drastic cuts. In the words of Mohandas Gandhi, "The best way to find yourself is to lose yourself in the service of others." We swore an oath to defend, protect and serve this country. Americans are depending on us to make the right decision. We should not delay a vote. We need to come together, make a decision and protect the interests of the people we represent.

VOICING SEQUESTER CONCERNS

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. DELANEY. Mr. Speaker, the sequester is bad way to deal with deficit reduction and will likely have a negative effect on our economy, particularly Maryland's economy, which I have been saying for years is unusually vulnerable to reductions in government spending. We are faced with the sequester because our government has failed to act in a bi-partisan way for the good of the country. The cost of doing nothing is not nothing. Because we failed to take the necessary steps to deal with our deficit in a balanced way—and because special interests were uncompromising in the face of any proposals that affected them—we find ourselves facing a mini-doomsday machine in the sequester.

Unless Congress acts, sequestration would have a serious and disproportionate impact on job creation and economic growth in Maryland. The 60 non-military federal facilities and 17 military facilities in Maryland would see their ability to conduct operations significantly erode; nearly 140,000 federal civilian employees who work in Maryland would face furloughs and potential pay cuts; and thousands of jobs in Maryland would be put at risk. Our students, small businesses, families, and first-responders would also be affected by devastating cuts to investments in education, law enforcement, infrastructure, innovation, research, and other areas that are critical to building a strong middle class.

Our focus should be on avoiding the sequester and passing a grand budget deal along the lines of Simpson-Bowles that reduces the deficit in a balanced way. We should do our job, which is to come together, negotiate in good faith, and find a solution.

THE 52ND ANNIVERSARY OF THE PEACE CORPS

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise regarding the 52nd anniversary of the Peace Corps to recognize the service, sacrifice and commitment of the men and women who devote a portion of their lives to the task of helping to strengthen the ties of friendship and understanding between the people of United States and others around the world. These cultural ambassadors embody the legacy of service that is the foundation of this nation's image abroad. Since 1961, more than 210,000 volunteers have served in 193 countries around the world. Their efforts in Africa, Asia, Central and South America, Europe, the Middle East and elsewhere have made significant and lasting contributions in the areas of agriculture, business development, education, health, and youth development among others.

I know firsthand of the long-lasting benefits of the good work of the Peace Corps. My father served in the Navy and then went on to become a United States Foreign Service officer, proudly representing America in places like Turkey and India and Pakistan, where I was born. I learned a lot about the world as a child in those places, but I also learned a lot about America.

One memory of those years stands out. It was in the early 1970s, and I had just turned 14. One day, I traveled with my parents to a tiny remote village in Sri Lanka. There, I walked into a family's small hut and as my eyes adjusted to the light, I noticed, hanging on the wall, a portrait of President John F. Kennedy. It was 10 years after he had been in the White House and half a world away from our country, but for these villagers it represented the America that had sent Peace Corps volunteers to help them. It represented the America they looked to as a land of opportunity and as a force for good and justice around the world. That portrait of our president represented an America that was a beacon of hope.

As we celebrate the fifty-second anniversary of the Peace Corps, let us salute the men and women who helped bring the best of America to the people of the world.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S959–S1073

Measures Introduced: Thirty-five bills and four resolutions were introduced, as follows: S. 399–433, and S. Res. 63–66. **Pages S1011–12**

Measures Reported:

S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013. **Page S1011**

Measures Considered:

American Family Economic Protection Act: Senate resumed consideration of the motion to proceed to consideration of S. 388, to appropriately limit sequestration, to eliminate tax loopholes. **Pages S970–91**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 49 nays (Vote No. 27), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S991**

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of the bill. **Page S991**

Sequester Replacement: Senate continued consideration of the motion to proceed to consideration of S. 16, to provide for a sequester replacement. **Pages S990–91**

During consideration of this measure today, Senate also took the following action:

By 38 yeas to 62 nays (Vote No. 26), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S991**

Subsequently, the motion to proceed to consideration of the bill was withdrawn. **Page S991**

Appointments:

Commission on Security and Cooperation in Europe: The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: Senator Wicker. **Page S1071**

Committee Expenditure Authorization—Agreement: A unanimous-consent-time agreement was reached providing that on Tuesday, March 5, 2013, at a time to be determined by the Majority Leader, after consultation with the Republican Leader, Senate begin consideration of S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; that the only amendment in order to the resolution be a Paul amendment striking provisions relative to the National Security Working Group; that there be up to 30 minutes of debate equally divided in the usual form on the Paul amendment; that upon the use or yielding back of time, Senate vote on or in relation to the Paul amendment; and that upon disposition of the Paul amendment, Senate vote on adoption of the resolution, as amended, if amended. **Page S1071**

Chen and Failla Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 5:00 p.m., on Monday, March 4, 2013, Senate begin consideration of the nominations of Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, and Katherine Polk Failla, to be United States District Judge for the Southern District of New York; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on the confirmation of the nominations, in the order listed; and that no further motions be in order. **Page S1071**

Messages from the House: **Page S1009**

Executive Communications: **Page S1009–11**

Executive Reports of Committees: **Page S1011**

Additional Cosponsors: **Pages S1012–13**

Statements on Introduced Bills/Resolutions: **Pages S1013–30**

Additional Statements: **Pages S1008–09**

Amendments Submitted: Pages S1030–70

Authorities for Committees to Meet: Pages S1070–71

Record Votes: Two record votes were taken today. (Total—27) Page S991

Adjournment: Senate convened at 10 a.m. and adjourned at 6:31 p.m., until 2 p.m. on Monday, March 4, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1071.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Alan F. Estevez, of the District of Columbia, to be Principal Deputy Under Secretary for Acquisition, Technology, and Logistics, Frederick Vollrath, of Virginia, to be Assistant Secretary for Readiness and Force Management, and Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

FEDERAL HOUSING ADMINISTRATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine addressing the Federal Housing Administration's financial condition and program challenges, after receiving testimony from Gary Thomas, National Association of Realtors, Mission Viejo, California; Peter H. Bell, National Reverse Mortgage Lenders Association, Sarah Rosen Wartell, Urban Institute, and David H. Stevens, Mortgage Bankers Association, all of Washington, DC; Phillip L. Swagel, University of Maryland School of Public Policy, Chevy Chase; and Teresa Bryce Bazemore, Radian Guaranty, Inc., Philadelphia, Pennsylvania.

DELIVERY SYSTEM REFORM

Committee on Finance: Committee concluded a hearing to examine delivery system reform, focusing on a progress report from the Centers for Medicare and Medicaid Services (CMS), after receiving testimony from Jonathan Blum, Acting Principal Deputy Administrator and Director, Center for Medicare, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California, and Nelson Stephen Roman, to be United States District Judge for the Southern District of New York.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution authorizing expenditures by committees of the Senate for the periods March 1, 2013, through September 30, 2013.

LEGISLATIVE PRESENTATIONS

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation from Military Officer Association of America, Retired Enlisted Association, Non Commissioned Officers Association, Blinded Veterans Association, Military Order of the Purple Heart, Wounded Warrior Project, Iraq and Afghanistan Veterans of America, and American Ex-Prisoners of War, after receiving testimony from Colonel Robert F. Norton, USA (Ret.), Military Officers Association of America, Master Sergeant Richard J. Delaney, USAF (Ret.), The Retired Enlisted Association, and H. Gene Overstreet, Non Commissioned Officers Association of the United States of America, all of Alexandria, Virginia; Tom Tarantino, Iraq and Afghanistan Veterans of America, Dawn Halfaker, Wounded Warrior Project, and Sam Huhn, Blinded Veterans Association, all of Washington, D.C.; Bruce G. McKenty, Military Order of the Purple Heart, Lakewood, Washington; and Charles Susino, Jr., American Ex-Prisoners of War, Arlington, Texas.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 54 public bills, H.R. 879–932; and 6 resolutions, H. Res. 89–94 were introduced. **Pages H813–16**

Additional Cosponsors: **Pages H817–18**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Ros-Lehtinen to act as Speaker pro tempore for today. **Page H705**

Violence Against Women Reauthorization Act of 2013: The House passed S. 47, to reauthorize the Violence Against Women Act of 1994, by a recorded vote of 286 ayes to 138 noes, Roll No. 55. **Pages H707–H801**

Rejected:

McMorris Rodgers amendment in the nature of a substitute (printed in H. Rept. 113–10) consisting of the text of Rules Committee Print 113–2 (by a yea-and-nay vote of 166 yeas to 257 nays, Roll No. 54). **Pages H753–H800**

The House agreed to H. Res. 83, the rule that is providing for consideration of the bill, was agreed to yesterday, February 27th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, March 4th for morning hour debate and 2 p.m. for legislative business. **Page H804**

Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise—Appointment: The Chair announced the Speaker's appointment of the following individual on the part of the House to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ms. Heather Wilson of Albuquerque, NM. **Page H806**

British-American Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the British-American Interparliamentary Group: Representatives Petri, Crenshaw, Latta, Aderholt, and Whitfield. **Page H806**

Congressional-Executive Commission on the People's Republic of China—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China: Representative Smith (NJ), Co-Chairman. **Page H806**

Senate Message: Message received from the Senate today appears on page H801.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H799–H800, H800–01. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:07 p.m.

Committee Meetings

ASSURING VIABILITY OF THE SUSTAINMENT INDUSTRIAL BASE

Committee on Armed Services: Subcommittee on Readiness held a hearing on assuring viability of the sustainment industrial base. Testimony was heard from John Johns, Deputy Assistant Secretary of Defense for Maintenance Policy and Programs, Department of Defense; and public witnesses.

NUCLEAR SECURITY: ACTIONS, ACCOUNTABILITY AND REFORM

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on Nuclear Security: Actions, Accountability and Reform. Testimony was heard from Brigadier General Sandra E. Finan, USAF, Commander, Air Force Nuclear Weapons Center, Former Principal Assistant Deputy Administrator for Military Applications, National Nuclear Security Administration; Gregory H. Friedman, Inspector General, Department of Energy; Neile L. Miller, Acting Administrator and Principal Deputy Administrator, National Nuclear Security Administration; Daniel B. Poneman, Deputy Secretary, Department of Energy; and a public witness.

IMPACTS OF A CONTINUING RESOLUTION AND SEQUESTRATION ON ACQUISITION, PROGRAMMING, AND THE INDUSTRIAL BASE

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on impacts of a continuing resolution and sequestration on acquisition, programming, and the industrial base. Testimony was heard from Lieutenant General James O. Barclay III, USA, Deputy Chief of Staff, G–8, U.S. Army; Lieutenant General Charles R. Davis, USAF, Military Deputy, Office of the Assistant Secretary of the Air Force for Acquisition, U.S. Air Force; Lieutenant General Michael R. Moeller, USAF, Deputy Chief of Staff for Strategic Plans and Programs, U.S. Air Force; Vice Admiral Allen G. Myers, USN, Deputy Chief of Naval Operations, Integration of Capabilities and Resources (N8), U.S. Navy; Heidi Shyu, Assistant Secretary of the Army

for Acquisition, Logistics and Technology, U.S. Department of the Army; Sean Stackley, Assistant Secretary of the Navy, Assistant Secretary of the Navy Research, Development and Acquisition, U.S. Department of the Navy; Lieutenant General John E. Wissler, USMC, Deputy Commandant for Programs and Resources, U.S. Marine Corps.

HOW ARE SCHOOLS MEASURING TEACHER PERFORMANCE

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled ''Raising the Bar: How are Schools Measuring Teacher Performance?''. Testimony was heard from public witnesses.

NUCLEAR REGULATORY COMMISSION: POLICY AND GOVERNANCE CHALLENGES

Committee on Energy and Commerce: Subcommittee on Energy and Power; and Subcommittee on Environment and the Economy held a joint hearing entitled ''The Nuclear Regulatory Commission: Policy and Governance Challenges''. Testimony was heard from the following officials of the Nuclear Regulatory Commission: Allison Macfarlane, Chairman; George Apostolakis, Commissioner; William Magwood, Commissioner; William Ostendorff, Commissioner; Kristine Svinicki, Commissioner.

U.S. INTERESTS IN THE WESTERN HEMISPHERE: OPPORTUNITIES AND CHALLENGES

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing entitled ''Overview of U.S. Interests in the Western Hemisphere: Opportunities and Challenges''. Testimony was heard from Roberta S. Jacobson, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and Mark Feierstein, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development.

OBAMA ADMINISTRATION'S REGULATORY WAR ON JOBS, THE ECONOMY, AND AMERICA'S GLOBAL COMPETITIVENESS

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing entitled ''Obama Administration's Regulatory War on Jobs, the Economy, and America's Global Competitiveness''. Testimony was heard from Rob James, Avon Lake City Council; and public witnesses.

TOP CHALLENGES FOR SCIENCE AGENCIES: REPORTS FROM THE INSPECTORS GENERAL—PART 1

Committee on Science, Space, and Technology: Subcommittee on Oversight held a hearing entitled ''Top Challenges For Science Agencies: Reports from the Inspectors General—Part 1''. Testimony was heard from Paul K. Martin, Inspector General, National Aeronautics and Space Administration Office of Inspector General; Allison C. Lerner, Inspector General, National Science Foundation, Office of Inspector General; Dave Smith, Deputy Inspector General, Department of Commerce, Office of Inspector General.

SMALL BUSINESS TRADE AGENDA

Committee on Small Business: Subcommittee on Agriculture, Energy and Trade held a hearing entitled ''Small Business Trade Agenda: Opportunities in the 113th Congress''. Testimony was heard from public witnesses.

BUDGET VIEWS AND ESTIMATES; CONCURRENT RESOLUTIONS; AND GSA CAPITAL INVESTMENT AND LEASING PROGRAM RESOLUTIONS

Committee on Transportation and Infrastructure: Full Committee held a meeting on the Fiscal Year 2014 Budget Views and Estimates of the Committee; a hearing on General Services Administration Capital Investment and Leasing Program Resolutions; House Concurrent Resolution 18, the National Peace Officers' Memorial; and House Concurrent Resolution 19, the Greater Washington Soap Box Derby. The Concurrent Resolutions and the General Services Administration Capital Investment and Leasing Program Resolutions were ordered reported, without amendment. The Budget Views and Estimates were approved by the Committee.

PROPOSED WAIVER OF WORK REQUIREMENTS IN THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled ''The Proposed Waiver of Work Requirements in the Temporary Assistance for Needy Families (TANF) Program''. Testimony was heard from Senator Orrin Hatch; Kay E. Brown, Director, Education, Workforce, and Income Security, Government Accountability Office; and public witnesses.

Joint Meetings

STATE OF THE UNITED STATES ECONOMY

Joint Economic Committee: Committee concluded a hearing to examine the state of the United States economy, focusing on economic growth and job creation, and what Congress can do to boost them, after receiving testimony from Michael J. Boskin, Stanford University, Stanford, California; and Austan Goolsbee, University of Chicago Booth School of Business, Chicago, Illinois.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 1, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, March 4

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5 p.m.), Senate will begin consideration of the nominations of Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, and Katherine Polk Failla, to be United States District Judge for the Southern District of New York, with votes on confirmation of the nominations at approximately 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Monday, March 4

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

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