

On page 15, strike line 10 and all that follows through line 20.

**SA 952.** Mr. WYDEN (for himself, Mr. McCONNELL, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, insert the following:

**Subtitle \_\_\_\_\_—Industrial Hemp Farming Act**

**SECTION 12 \_\_\_\_\_. SHORT TITLE.**

This title may be cited as the “Industrial Hemp Farming Act of 2013”.

**SEC. 12 \_\_\_\_\_. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.**

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking “(16) The” and inserting “(16)(A) The”; and

(B) by adding at the end the following:

“(B) The term ‘marihuana’ does not include industrial hemp.”; and

(2) by adding at the end the following:

“(57) The term ‘industrial hemp’ means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.”.

**SEC. 12 \_\_\_\_\_. INDUSTRIAL HEMP DETERMINATION BY STATES.**

Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

“(i) **INDUSTRIAL HEMP DETERMINATION.**—If a person grows or processes *Cannabis sativa* L. for purposes of making industrial hemp in accordance with State law, the *Cannabis sativa* L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).”.

**SA 953.** Mr. DURBIN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

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

**SEC. 11 \_\_\_\_\_. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.**

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

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

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

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

points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) **APPLICATION.**—

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

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

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

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

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

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

“(VI) different crops or growing regions;

“(VII) program rating structures;

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

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

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

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

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

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

**NOTICE OF HEARING**

**COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP**

Ms. LANDRIEU. Mr. President, the Committee on Small Business and Entrepreneurship will meet on May 22, 2013, at 10 a.m. in room 428A Russell Senate Office building to hold a roundtable entitled “Bridging the Skills Gap: How the STEM Education Pipeline Can Develop a High-Skilled American Workforce for Small Business.”

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON THE JUDICIARY**

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 20, 2013, at 10 a.m., in SH-216 of the Dirksen Senate Office Building, to continue its executive business meeting.

The PRESIDING OFFICER. Without objection, it is ordered.

**PRIVILEGES OF THE FLOOR**

Ms. STABENOW. Mr. President, I ask unanimous consent that Kevin Norton, a detailee to our committee, Heather Arnold, John Newton, and Eric Hansen, fellows for the committee, be granted

floor privileges for the remainder of the debate on S. 954, the Agriculture Reform, Food, and Jobs Act of 2013.

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

Mr. COCHRAN. Mr. President, I ask unanimous consent that Nona McCoy and Kevin Batteh, who have been detailed to my staff, be granted the privilege of the floor for the remainder of the farm bill debate.

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

**UNANIMOUS CONSENT AGREEMENT—S. RES. 65**

Mr. REID. Mr. President, I ask unanimous consent that at 4 p.m. on Wednesday, May 22, the Senate proceed to the consideration of Calendar No. 43, S. Res. 65; that there be 60 minutes for debate equally divided and controlled in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote in relation to the resolution; that if the resolution is agreed to, the preamble be agreed to and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**AWARDING A CONGRESSIONAL GOLD MEDAL**

Mrs. BOXER. Mr. President, I ask unanimous consent the Banking Committee be discharged from further consideration of S. 309 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 309) to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

There being no objection, the Senate proceeded to consider the bill.

Mrs. BOXER. I ask unanimous consent the Harkin amendment, which is at the desk, be agreed to, the bill as amended be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The amendment (No. 951) was agreed to, as follows:

(Purpose: To make technical corrections)

On page 15, line 5, strike “dyes” and insert “dies”.

On page 15, line 6, insert before the period the following: “, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund”.

On page 15, strike line 10 and all that follows through line 20.

The bill (S. 309), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 309

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

**SECTION 1. FINDINGS.**

Congress makes the following findings:

(1) The unpaid volunteer members of the Civil Air Patrol (hereafter in this Act referred to as the "CAP") during World War II provided extraordinary humanitarian, combat, and national services during a critical time of need for the Nation.

(2) During the war, CAP members used their own aircraft to perform a myriad of essential tasks for the military and the Nation within the United States, including attacks on enemy submarines off the Atlantic and Gulf of Mexico coasts of the United States.

(3) This extraordinary national service set the stage for the post-war CAP to become a valuable nonprofit, public service organization chartered by Congress and designated the Auxiliary of the United States Air Force that provides essential emergency, operational, and public services to communities, States, the Federal Government, and the military.

(4) The CAP was established on December 1, 1941, initially as a part of the Office of Civil Defense, by air-minded citizens one week before the surprise attack on Pearl Harbor, Hawaii, out of the desire of civil airmen of the country to be mobilized with their equipment in the common defense of the Nation.

(5) Within days of the start of the war, the German Navy started a massive submarine offensive, known as Operation Drumbeat, off the east coast of the United States against oil tankers and other critical shipping that threatened the overall war effort.

(6) Neither the Navy nor the Army had enough aircraft, ships, or other resources to adequately patrol and protect the shipping along the Atlantic and Gulf of Mexico coasts of the United States, and many ships were torpedoed and sunk, often within sight of civilians on shore, including 52 tankers sunk between January and March 1942.

(7) At that time General George Marshall remarked that "[t]he losses by submarines off our Atlantic seaboard and in the Caribbean now threaten our entire war effort".

(8) From the beginning CAP leaders urged the military to use its services to patrol coastal waters but met with great resistance because of the nonmilitary status of CAP civilian pilots.

(9) Finally, in response to the ever-increasing submarine attacks, the Tanker Committee of the Petroleum Industry War Council urged the Navy Department and the War Department to consider the use of the CAP to help patrol the sea lanes off the coasts of the United States.

(10) While the Navy initially rejected this suggestion, the Army decided it had merit, and the Civil Air Patrol Coastal Patrol began in March 1942.

(11) Oil companies and other organizations provided funds to help pay for some CAP operations, including vitally needed shore radios that were used to monitor patrol missions.

(12) By late March 1942, the Navy also began to use the services of the CAP.

(13) Starting with 3 bases located in Delaware, Florida, and New Jersey, CAP aircrews (ranging in age from 18 to over 80) immediately started to spot enemy submarines as well as lifeboats, bodies, and wreckage.

(14) Within 15 minutes of starting his patrol on the first Coastal Patrol flight, a pilot had sighted a torpedoed tanker and was coordinating rescue operations.

(15) Eventually 21 bases, ranging from Bar Harbor, Maine, to Brownsville, Texas, were

set up for the CAP to patrol the Atlantic and Gulf of Mexico coasts of the United States, with 40,000 volunteers eventually participating.

(16) The CAP used a wide range of civilian-owned aircraft, mainly light-weight, single-engine aircraft manufactured by Cessna, Beech, Waco, Fairchild, Stinson, Piper, Taylorcraft, and Sikorsky, among others, as well as some twin engine aircraft, such as the Grumman Widgeon.

(17) Most of these aircraft were painted in their civilian prewar colors (red, yellow, or blue, for example) and carried special markings (a blue circle with a white triangle) to identify them as CAP aircraft.

(18) Patrols were conducted up to 100 miles off shore, generally with 2 aircraft flying together, in aircraft often equipped with only a compass for navigation and a single radio for communication.

(19) Due to the critical nature of the situation, CAP operations were conducted in bad weather as well as good, often when the military was unable to fly, and in all seasons, including the winter, when ditching an aircraft in cold water would likely mean certain death to the aircrew.

(20) Personal emergency equipment was often lacking, particularly during early patrols where inner tubes and kapok duck hunter vests were carried as flotation devices, since ocean worthy wet suits, life vests, and life rafts were unavailable.

(21) The initial purpose of the Coastal Patrol was to spot submarines, report their position to the military, and force them to dive below the surface, which limited their operating speed and maneuverability and reduced their ability to detect and attack shipping, because attacks against shipping were conducted while the submarines were surfaced.

(22) It immediately became apparent that there were opportunities for CAP pilots to attack submarines, such as when a Florida CAP aircrew came across a surfaced submarine that quickly stranded itself on a sand bar. However, the aircrew could not get any assistance from armed military aircraft before the submarine freed itself.

(23) Finally, after several instances when the military could not respond in a timely manner, a decision was made by the military to arm CAP aircraft with 50- and 100-pound bombs, and to arm some larger twin-engine aircraft with 325-pound depth charges.

(24) The arming of CAP aircraft dramatically changed the mission for these civilian aircrews and resulted in more than 57 attacks on enemy submarines.

(25) While CAP volunteers received \$8 a day flight reimbursement for costs incurred, their patrols were accomplished at a great economic cost to many CAP members who—

(A) used their own aircraft and other equipment in defense of the Nation;

(B) paid for much of their own aircraft maintenance and hangar use; and

(C) often lived in the beginning in primitive conditions along the coast, including old barns and chicken coops converted for sleeping.

(26) More importantly, the CAP Coastal Patrol service came at the high cost of 26 fatalities, 7 serious injuries, and 90 aircraft lost.

(27) At the conclusion of the 18-month Coastal Patrol, the heroic CAP aircrews would be credited with—

(A) 2 submarines possibly damaged or destroyed;

(B) 57 submarines attacked;

(C) 82 bombs dropped against submarines;

(D) 173 radio reports of submarine positions (with a number of credited assists for kills made by military units);

(E) 17 floating mines reported;

(F) 36 dead bodies reported;

(G) 91 vessels in distress reported;

(H) 363 survivors in distress reported;

(I) 836 irregularities noted;

(J) 1,036 special investigations at sea or along the coast;

(K) 5,684 convoy missions as aerial escorts for Navy ships;

(L) 86,685 total missions flown;

(M) 244,600 total flight hours logged; and

(N) more than 24,000,000 total miles flown.

(28) It is believed that at least one high-level German Navy Officer credited CAP as one reason that submarine attacks moved away from the United States when he concluded that "[i]t was because of those damned little red and yellow planes!".

(29) The CAP was dismissed from coastal missions with little thanks in August 1943 when the Navy took over the mission completely and ordered CAP to stand down.

(30) While the Coastal Patrol was ongoing, CAP was also establishing itself as a vital wartime service to the military, States, and communities nationwide by performing a wide range of missions including, among others—

(A) border patrol;

(B) forest and fire patrols;

(C) military courier flights for mail, repair and replacement parts, and urgent military deliveries;

(D) emergency transportation of military personnel;

(E) target towing (with live ammunition being fired at the targets and seven lives being lost) and searchlight tracking training missions;

(F) missing aircraft and personnel searches;

(G) air and ground search and rescue for missing aircraft and personnel;

(H) radar and aircraft warning system training flights;

(I) aerial inspections of camouflaged military and civilian facilities;

(J) aerial inspections of city and town blackout conditions;

(K) simulated bombing attacks on cities and facilities to test air defenses and early warning;

(L) aerial searches for scrap metal materials;

(M) river and lake patrols, including aerial surveys for ice in the Great Lakes;

(N) support of war bond drives;

(O) management and guard duties at hundreds of airports;

(P) support for State and local emergencies such as natural and manmade disasters;

(Q) predator control;

(R) rescue of livestock during floods and blizzards;

(S) recruiting for the Army Air Force;

(T) initial flight screening and orientation flights for potential military recruits;

(U) mercy missions, including the airlift of plasma to central blood banks;

(V) nationwide emergency communications services; and

(W) a cadet youth program which provided aviation and military training for tens of thousands.

(31) The CAP flew more than 500,000 hours on these additional missions, including—

(A) 20,500 missions involving target towing (with live ammunition) and gun/searchlight tracking which resulted in 7 deaths, 5 serious injuries, and the loss of 25 aircraft;

(B) a courier service involving 3 major Air Force Commands over a 2-year period carrying more than 3,500,000 pounds of vital cargo and 543 passengers;

(C) southern border patrol flying more than 30,000 hours and reporting 7,000 unusual sightings including a vehicle (that was apprehended) with 2 enemy agents attempting to enter the country;

(D) a week in February 1945 during which CAP units rescued seven missing Army and Navy pilots; and

(E) a State in which the CAP flew 790 hours on forest fire patrol missions and reported 576 fires to authorities during a single year.

(32) On April 29, 1943, the CAP was transferred to the Army Air Forces, thus beginning its long association with the United States Air Force.

(33) Hundreds of CAP-trained women pilots joined military women's units including the Women's Air Force Service Pilots (WASP) program.

(34) Many members of the WASP program joined or rejoined the CAP during the post-war period because it provided women opportunities to fly and continue to serve the Nation that were severely lacking elsewhere.

(35) Due to the exceptional emphasis on safety, unit and pilot training and discipline, and the organization of the CAP, by the end of the war a total of only 64 CAP members had died in service and only 150 aircraft had been lost (including its Coastal Patrol losses from early in the war).

(36) It is estimated that up to 100,000 civilians (including youth in its cadet program) participated in the CAP in a wide range of staff and operational positions, and that CAP aircrews flew a total of approximately 750,000 hours during the war, most of which were in their personal aircraft and often at risk to their lives.

(37) After the war, at a CAP dinner for Congress, a quorum of both Houses attended with the Speaker of the House of Representatives and the President thanking CAP for its service.

(38) While air medals were issued for some of those participating in the Coastal Patrol, little other recognition was forthcoming for the myriad of services CAP volunteers provided during the war.

(39) Despite some misguided efforts to end the CAP at the end of the war, the organization had proved its capabilities to the Nation and strengthened its ties with the Air Force and Congress.

(40) In 1946, Congress chartered the CAP as a nonprofit, public service organization and in 1948 made the CAP an Auxiliary of the United States Air Force.

(41) Today, the CAP conducts many of the same missions it performed during World War II, including a vital role in homeland security.

(42) The CAP's wartime service was highly unusual and extraordinary, due to the unpaid civilian status of its members, the use of privately owned aircraft and personal funds by many of its members, the myriad of humanitarian and national missions flown for the Nation, and the fact that for 18 months, during a time of great need for the United States, the CAP flew combat-related missions in support of military operations off the Atlantic and Gulf of Mexico coasts.

## SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD.—

(1) AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the World War II members of the Civil Air Patrol collectively, in recognition of the military service and ex-

emplary record of the Civil Air Patrol during World War II.

(2) DESIGN AND STRIKING.—For the purposes of the award referred to in paragraph (1), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(3) SMITHSONIAN INSTITUTION.—

(A) IN GENERAL.—Following the award of the gold medal referred to in paragraph (1) in honor of all of its World War II members of the Civil Air Patrol, the gold medal shall be given to the Smithsonian Institution, where it shall be displayed as appropriate and made available for research.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under this paragraph available for display elsewhere, particularly at other locations associated with the Civil Air Patrol.

(b) DUPLICATE MEDALS.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

(c) NATIONAL MEDALS.—Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

## NATIONAL PUBLIC WORKS WEEK

Mrs. BOXER. I ask unanimous consent the Senate proceed to the consideration of S. Res. 149, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 149) designating the week of May 19 through May 25, 2013, as "National Public Works Week."

There being no objection, the Senate proceeded to consider the resolution.

Mrs. BOXER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 149) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## ORDERS FOR TUESDAY, MAY 21, 2013

Mrs. BOXER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, May 21, 2013; that following the prayer and

pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of S. 954, the farm bill; and that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. BOXER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Tuesday, May 21, 2013, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF AGRICULTURE

JON M. HOLLADAY, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE, VICE EVAN J. SEGAL.

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be general

LT. GEN. CURTIS M. SCAPAROTTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be brigadier general

COL. MARION GARCIA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be brigadier general

COL. HECTOR LOPEZ

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be rear admiral (lower half)

CAPT. DEBORAH P. HAVEN

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 2013:

### THE JUDICIARY

SHERI POLSTER CHAPPELL, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON.