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## Senate

PROTECTING VOLUNTEER FIRE-FIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014—Continued

TRIBUTES TO MARY LANDRIEU

Mr. MERKLEY. Mr. President, I will just say a couple words before I turn it over to the Chair and to my colleague from West Virginia.

When I think of MARY LANDRIEU, I think of the most tenacious person in the Senate standing here, holding court, fighting for her cause, fighting for her values, fighting for her State. I think particularly of the hard work she

did on flood insurance, on this issue that was so critical to the State of Louisiana and very important to my State of Oregon and to our other States but particularly Louisiana. She was determined. Every time I was on the floor, she would say: JEFF, have you done this and JEFF, have you done that. She would grab someone else, and she would say: And now we have to do this. That is how legislation gets done.

Senator LANDRIEU really drives things through the Senate. It is one thing to be here and express your ideas in kind of a social manner—well, wouldn't this be nice or wouldn't that

be nice; it is another to stand here and say: I am going to make this happen because it is important to my constituents and important to our Nation. I have seen MARY LANDRIEU do that on issue after issue, and certainly for all who came in with my class 6 years ago, it has been a wonderful education on how to make maximum use and effectiveness from this privilege of serving in the Senate.

Thank you for everything you have done, MARY LANDRIEU. It is an honor to serve with you, and we are going to miss you greatly.

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CHARLES E. SCHUMER, *Chairman*.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. All of us came here at one time or another, and the first im-

pression you have is how they kind of ingratiate you and bring you into the

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



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fold. I am often asked—I am sure most of our colleagues are asked the same question—whom do you consider your best and closest friend and whom do you associate with and whom do you feel comfortable with? In any category, without a doubt, it is always MARY LANDRIEU. We come from a similar background—rural States. We come from the same culture—hard-working people who basically don't ask for an awful lot and give a lot more back. Both of us come from large Catholic families, and we have an awful lot in common. We and our spouses have bonded, and we have done things together. That was the way I heard the place used to work, that you build relationships and there is camaraderie and you share dinners at people's homes. It is such a different atmosphere when that happens because you really do forge a bond that is so much missing in this body.

Let me say one other thing. The great losers in this whole election process we just had were the great people of Louisiana. They lost a champion. They lost a fighter. That is what Senator MERKLEY said. There is nobody who said: I think you ought to be careful about that because I think MARY is interested. We knew there could be problems.

With that being said, the best thing to do is to go talk to MARY on this subject or issue, and we would work through it. How do we compromise and bring everybody together? And MARY would say: We will work through it.

Coming from an energy State and MARY having an energy State and the two of us being Democrats, on our side sometimes our individual caucus is not as large as we would like for it to be—let's put it that way—but we talk an awful lot about how we are moving an energy policy. As MARY said, we need it all in this country. We should be totally energy independent. We shouldn't be looking to other countries and buying their products and giving them the resources to be used against us, and we don't have to do that. We can do it in a sensible and balanced way with the economy and the environment. MARY has always had the economy and environment first and foremost. That type of balance is hard to find, and it is definitely hard to find in Washington.

So I just want her to know that there is nobody who is going to miss MARY LANDRIEU more than I, being in this body, going shoulder to shoulder with her and trying to bring an even keel to this whole process.

MARY, I feel for the people of Louisiana. I truly do. I am hoping somebody can come along and have the same spirit and fight that you have, but no one is going to be able to replace you and what you have been able to do and what you have been able to make us aware of.

My little State was involved in helping Katrina, helping the State of Louisiana. The State of West Virginia came immediately. When that hap-

pened, we were so proud to be part of that, and we now have a lot of people from Louisiana living in West Virginia today because of that effort.

There has been a wonderful relationship and a wonderful friendship, but more importantly, there has been a wonderful person who has graced the Halls in this tremendous body for 18 years who will not be replaced in this Senate and this body. Again, the people of Louisiana should be extremely proud to have someone who is a fighter, who gave every drop she had of public service for her State and never forgot where she come from. So with that, that is a tremendous tribute in itself.

I say to my dear friend, thank you for your service on behalf of the great State of Louisiana. Thank you for all the important work you have done for our country. God bless you, and I love you.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, you can see that MARY LANDRIEU has a lot of friends on both sides of the aisle, and that is because MARY has stood up and been a mentor to so many of us. She taught us how to fight for our own States because that is what she has done every day for Louisiana.

I was thinking about our States earlier. MARY mentioned in her talk about how Minnesota is at the top of the Mississippi and Louisiana is at the bottom and how hard we fought for river issues and barges and locks and dams. We will actually have success at the end of the year with the ABLE Act, which is really important for other reasons, but we are going to finally start the funding for lock and dam improvements, and that kind of work would not have happened without MARY and the work and support she has provided with the RIVER Act. So a river doesn't divide us, it unites us, and MARY is a uniter and brings people together on so many issues.

She said before that she was going to put some things on the RECORD about adoption, but I thought I would take the opportunity to fill people in.

First of all, MARY established the Congressional Coalition on Adoption Institute. If you have not gone to some of the events where she literally brings the angels—people who have adopted children in the most dire circumstances—to Washington to celebrate these adoptions and talk about the policy changes that need to be made.

Anyone who has adopted one of the foster kids or brought them into an office and adopted them—the reason you can do that is because MARY LANDRIEU started that program so that foster children, who otherwise would not have the connections and wherewithal to be able to get a job for the summer, spring, or fall in Washington, DC, would be able to work, and then she has all of these kids to her house every single year.

MARY doesn't just fight for adopted kids at home, she fights for them all

over the world. I would hate to be the bureaucrat in Guatemala when MARY LANDRIEU shows up to fight them off. I see her staff, and some of them were probably with her on that trip. I think she knew the name of every child who was waiting to be adopted in Guatemala.

How can we forget the meeting with the Russians when they started to use these poor little children as pawns in a political game? MARY stood up to them. As a result, as many of us know, she has now been banned from the country of Russia. I don't think everybody knows that the reason she was banned was because she was fighting for these kids who were waiting to be adopted. Many of the parents are in my State, and they actually have siblings and they are trying to adopt the other sibling. That is a very sad story and MARY stood up for them. In the words of her dad, Putin didn't like it, and so MARY was banned. I guess that is not where she is going on vacation after we are done here.

The other thing about MARY I will never forget—how kind and sweet and fun she is for her friends in the Senate—is the time when we had a bet on the Saints-Vikings game in the playoffs. We bet some food from our States. If anybody remembers that amazing playoff game, the Vikings lost, and I had to wear a Drew Brees jersey and walk over to MARY's office with a pot of gumbo, which is really hard to make. When I got to her office, all of her New Orleans press was there, and when she tried that gumbo, she said, this is Minnesota gumbo. This gumbo just needs something special. She got out an enormous bottle of hot sauce from her desk drawer—as only a Louisiana Senator would have—and dumped it in my Minnesota gumbo. That is the spice that MARY has added to all of our lives.

What we have learned from her we will never forget. As I said, she is a role model for so many of us on how to fight for our States.

We see it in the eyes of those little adopted children and the great success we are starting to see on the coast because of all the recovery you brought to your State. We know you will never be forgotten and we want you to keep fighting.

Thank you, MARY.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I can't leave the floor without speaking to MARY. MARY has been such an incredible inspiration to me. I have been in the Senate now for 13 months, and I have had a number of conversations with her, but the best way to teach somebody is to show somebody.

Senator LANDRIEU is prodigiously persuasive, tirelessly tenacious, doggedly determined. Just to watch Senator LANDRIEU is to watch what every American should hope for in a Senator—someone who is unyielding in their work and service to them.

If you look at the myriad of interests in the State of Louisiana, I was amazed by what I saw firsthand. MARY stood up and fought for the people who were loud and ornery but still had a good cause as well as the people who were voiceless and humble. MARY stood up for them. MARY stood up for people in her community who were from every different background and from every different race. MARY stood up to them in a way that is a model to my State.

I heard my senior Senator mention you by name about how essential you were when my State had its back against the wall and crushed by a superstorm. When there were battles to get my State's funding, and MARY had no skin in that game, my senior Senator mentioned you as a champion for New Jersey and that is what blows me away about you.

I yearn for a government that has moral courage, more than we have now, people who will risk popularity for purpose and will risk substance for some kind of celebrity. Senator LANDRIEU has done things against her political interests, but that were for the people. That is why I have a great deal of reverence for you and why I travel down to your State.

Now the Senator knows this because I must have said it hundreds of times when I was down in Louisiana, that that is my ancestral State. I will end by saying this: My granddaddy was born in Monroe. He was born poor. As my family likes to say, he was so poor he couldn't afford to be poor, he was po, P-O. He was born to a single mama. He was born Black at a time of immense segregation, when people who walked the hallways of power couldn't give a damn about him. He taught me love for your State, and more importantly, the urgency to stand up and fight for those people that most folks won't fight for.

I am telling you right now, my granddaddy died during my first big election, but if he knew you, he would be so proud of your service.

Thank you from the bottom of my heart.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. I wish to echo all the comments people said today, but I have to be honest. When I was elected, I was scared of MARY. People said very politely that you should check with MARY to see if she has an issue with something. I was terrified of what people told me she would do if I was not on her side.

If you remember, when I came in, we doubled the oil and gas caucus in the Democratic caucus by me just joining, and so we had an immediate connection, which was unique in itself. Our connection was not just that, but also, as MARY mentioned, her mentor, Lindy Boggs, and our family knows the Boggses very well.

I can still remember a call I got when I won my mayor's race in 2003 from this woman in Louisiana. My staff

came in and said some woman from Louisiana is calling, and we don't know who she is, but she wants to talk to you, and so I said, OK. I took the phone call, and it was Lindy Boggs. You know how she would start a conversation with "Hi, darlin', I just want to check in with you and see how you are doing, and congratulations." Then she said, "One moment, someone is at my door." She came back and said, "The exterminator is here," and that is classic Lindy Boggs.

What was so real about her—and I can see it in MARY's style—and that is she is real. The work MARY has done—and I didn't know it until I came to the Senate—for foster kids and adoption is remarkable. AMY KLOBUCHAR went into great detail about that, and it shows that it is not always about the policy and fights on the floor here, but there is so much that individuals do outside this Chamber. What MARY has done outside of the Chamber is to use this position to make a difference for young people, and that is powerful. As MARY has said, we fight over policies and issues, but every one of those young people has been touched in some way. I guarantee—and I am sure you have seen it over the years where someone might come up to you and say, I don't know if you remember me, and then they tell you the story of how you met them when they were a foster kid and just getting adopted or when you were at one of the ceremonies or one of the events they were at. Those are the things I will remember about you.

The tenacity that people talked about—there is no question about it. I was glad when I got on the Appropriations Committee because I thought, finally, I will be on there with someone who will chew it up with me, and I just had to hang on to your coattails when you were fighting on issues.

When we sat in on those leadership meetings on Tuesday morning, I was always thankful when you came in. You were right across from me. I don't know if they all figured it out—maybe, again, as I said, it is a little bit of confession—we had our signals, or maybe eye contact, and then we went to work. You were really incredible.

When you were in caucus—and many people don't see those, except as Members—you were always passionate about what was important to Louisiana. You never forgot what was important to Louisiana.

People made the comment that you are tenacious. I would say that any time something did move in the Congress, you were a part of it in some way. When we were trying to figure out how to fix the health care bill, you were right there. You didn't hesitate. You knew it was a hot potato, but it was also something that we knew we had to make better, not just for people but for decades to come. You were not afraid of that even though you said you knew it could cost you your election because you knew generationally it would have an impact.

It wasn't about the moment, it was about 10, 15, 20 years, you could look back and say you helped make that happen, and you did, every time you tried to move in and push an item or idea. Even though we will not be serving here, you will have an impact.

I could tell, as we were shaking hands here, it was amazing to watch you, you never stop. You were already talking to each person about the work they need to be doing. When I shook your hand, you were talking about fisheries. I am like, MARY, just relax. But you are already working it, and that is what is so unique about you. You will not be in this body, but you will be in this body because of the way you do your work. It is not about being in this office, it is about caring about Louisiana, and as I said, I saw it just in this last moment here. It is unbelievable. You will never give up on the people of Louisiana because you care so deeply.

It has been an honor to know you.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I wish to make some remarks about the Senator from Louisiana. I had the pleasure of serving as ranking member of the Homeland Security Appropriations Committee, and MARY LANDRIEU was the chairman. I wasn't sure about what to expect when I joined that committee. I knew of MARY's passion and her persuasion, which is given in a gentle but effective way. She reaches out. I thought, she is going to convince me out of just about everything. I will not be able to hold my own with her, but she was so gracious in terms of working together with me as we worked through some very tough issues.

She was a knowledgeable and effective leader. She couldn't ask enough questions, couldn't gain enough information, making wise decisions, given the limitations that we had relative to appropriations and given the process that, unfortunately, was not the way the Appropriations Committee should go forward. Nevertheless, working together on that and on a whole number of issues turned out to be a very pleasant experience because of the nature of the leader of the committee and their willingness to work together.

You get to learn something about someone when you spend 3 days trekking along the southern border on the immigration issue. We climbed into tunnels, driving along fences, talking to Border Patrol agents, looking at the enormous channels that exist relative to that border and our Border Patrol people and immigration control people. Both of us were right there in blue jeans and tennis shoes in hot weather, and learning firsthand the challenges this country faces relative to dealing with immigration.

Her passion for children and her State has been talked about. I think the word that best describes MARY is passion. She has passion for the engagement in anything that she engages

in and doing it in a way that is relentless and reaches results. I think it is a great tribute to her character and to the kind of person she is.

One thing we will not be able to do is meet together somewhere in Russia. I have been banned from Russia and MARY has been banned from Russia. I was banned because I took significant exception to the Russian takeover of Crimea and its activities in Ukraine. I was surprised by that. MARY was banned for an unnecessary reason, and that was trying to help Russian children who were trying to find adoptive parents. Obviously she was successful, and obviously she was as relentless there as she was on all the other issues because Russia saw that as a threat. Here is someone reaching out for all the right reasons and doing something for all the right reasons—passion for children and finding them a home.

I wish MARY the very best going forward in her next chapter of life. I can testify to you from personal experience that there is life after Congress, and it can be a pleasant life. Knowing you, you will be engaged in something very significant—whether for your State or your country. Your life of service, and your family's life of service, is well recognized. So I wish the Senator from Louisiana the very best as she goes forward. It has been a pleasure working with her.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to follow the comments of my friend, the Senator from Indiana, although I do think the RECORD should be corrected. I would say to my colleague I have also dealt with the Senator from Louisiana a number of times on a number of issues, and I have thought of lots of words to describe her style, but "gentle" would not be one to come to mind.

I know this is a day to pay tribute, so I wish to echo some of the comments of the Senator from Indiana.

I first met part of the Landrieu family when I had a chance to meet MARY's dad when he was serving as the Secretary of HUD and I was a young staff person. MARY talks a lot about her family. Her family was kind enough to host me a variety of times when I was in Louisiana. She has a great family, a great tradition.

So many folks have spoken about specific issues regarding MARY's service in the Senate. I am not going to talk about her focus on issues and the relentlessness she brings, but I wish to acknowledge her generosity and heart and spirit. She and Frank would always open their home for whatever cause. Again, I heard the comments about her enormous heart and commitment for adoption. I think about so many events that we go to, but those Angels of Adoption events at her house touched all of us in a way that is not often the case. I also can acknowledge now that she has a great love for the Commonwealth of Virginia and has

spent some time there due to her love of horses and her daughter's riding and her own riding. As has been mentioned by so many—and I know from our own conversations—this is not somebody who wants to look backward but is clearly already looking forward. I know life holds for you and Frank a number of extraordinarily exciting additional chapters. I hope I have the opportunity to be a part of those chapters and to be subject to that gentle persuasion on whatever issue comes to mind as you go forward.

I know I speak for so many of our colleagues when I say we all have a lot of unique characteristics, but with MARY LANDRIEU they broke the mold.

I yield the floor to my good friend the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, one of the truly nice things about serving in the Senate is the people we meet. Myrna and I consider Frank and MARY to be our friends. She is an incredible person and has given incredible service. I am sorry the people of Louisiana could not see MARY in our caucuses as she fought on different issues for the people of Louisiana and what she did as an advocate on behalf of people who otherwise would not have had their voices heard. She did it in a very effective way.

I heard some of the conversations about what happened with Katrina and the people of New Orleans. MARY LANDRIEU brought us down to Louisiana for us to see firsthand. It was incredible for me, not to just see the physical devastation, but thanks to MARY LANDRIEU, we saw the people. We saw the spirit in the people, but we saw people who needed help. It is that type of emotional involvement that MARY gives to every cause she believes in.

So I want the Senator from Louisiana to know how much I deeply respect your model of public service and the people you stood up for.

Senator LANDRIEU spoke about the adoption issue. She got into it because she has such a big family. I think I got into it because of her. She is pretty persuasive. We all feel better because of that. Senator LANDRIEU is the one who really led us in those efforts. What an incredible legacy.

I want to speak a minute about small business issues. Senator LANDRIEU chaired that committee during a particularly important time. I want to relate a couple of stories to my colleagues. There are many times I was in the Democratic caucus and we would be talking about an issue and Senator LANDRIEU would stand and say, Well, how about small businesses? Under her leadership we brought some major initiatives to the floor to help small businesses because of MARY LANDRIEU and her ability to put together a common-sense package. She understood small businesses are the growth engine of America. That is how jobs are created and that is where innovation takes

place. I can tell my colleagues—I worked with her. I know what we got done. I know how we took on our own governmental agencies to make sure they did right for small businesses and how we fought the bundling. Contract officers love to take small contracts and make them into big ones because it is less headache for them but less opportunity for small businesses. MARY LANDRIEU stopped that practice and put a spotlight on it. It was an incredible experience for me because it showed me that each of us can make a difference.

I knew what I was trying to do. One of the issues I got involved with was to raise the surety bond issues and I didn't see much chance of getting it done and MARY gave me the opportunity to get it done. She coached me on how to get it done, and that is now a permanent law of the land.

She made us all relevant on the committee, individually and collectively. We have a great legacy to help small businesses in this country, thanks to the leadership of Senator LANDRIEU.

To the people of Louisiana, they could not have had a stronger advocate, a stronger friend, a person who accomplished more for that State during some extremely challenging times. To the people of this country and the work MARY LANDRIEU did on the Appropriations Committee for our national security and standing up for and protecting and defending our own country, the record of Senator LANDRIEU is incredible. To those who are voiceless but had MARY LANDRIEU to speak for them, the disadvantaged; to small businesses—and the list goes on and on and on—this is one incredible legislator. She is a model to many of us. I thank her so much for her service and her commitment to public life. It will always be an inspiration to me, the fact that I was given the honor to serve with you in the Senate of the United States.

The PRESIDING OFFICER (Mr. WALSH). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I rise to add my words of admiration for this great person, for this great legislator. Just to tell a brief story, it was back in 2006, in a lameduck session just like this. The Democrats had won and were about to take over the Senate. The Democrats had just won and were about to take over the House—a different passage in time. But throughout all of 2006, even in the minority, MARY LANDRIEU was moving a bill to open up a vast new area in the Gulf of Mexico for drilling for oil and natural gas.

I was over in the House. I was from Massachusetts. I did not want this bill to pass. I wanted to actually save it for 2007 when the Democrats were in control. We could pass it in an energy bill by the end of 2007, which would have included this provision. MARY passed it through the Senate—bipartisan, as usual. If we look up bipartisan, if we Google it, MARY's picture actually comes up.

Over in the House, because of all of her momentum, I lost and that bill passed. Again, tens of thousands of new jobs fell to Louisiana through MARY LANDRIEU.

It was about a week later when I was out shopping and here comes MARY right toward me with her daughter in her riding outfit.

MARY said: I want to introduce you to Congressman MARKEY.

I said to her daughter: Well, you have to add a few additional words because your mother just defeated me quite badly just last week and passed a big bill for Louisiana, for whom your mother always calls her people, the people of Louisiana.

There isn't anybody who understands better the spirit of legislating, about protecting your home State and respecting those who are maybe not in agreement with you but are not your enemy but somebody whom you try to work with.

After the BP spill in the Gulf of Mexico I was the lead Democrat in the House on the Natural Resources Committee with jurisdiction over that, and MARY again was outraged that such damage could be done to her fishermen, to her tourism industry, to her people in Louisiana. She worked hard to make sure billions of dollars would ultimately go back into the gulf to ensure that her fishermen, her tourism industry, and her people were protected.

Then, after having served in the House for 37 years, I arrived in the Senate with a great concern that a bill I had been working on in Massachusetts, which was the dramatic rise in the insurance rates for homeowners and businesses right along the coastline of Massachusetts, and I had to introduce legislation not only to work on the issue, but when I arrived in the Senate, MARY LANDRIEU was already here, already working on that bill, all ready to protect her homeowners, her small business people from outrageous increases in insurance rates that would have basically made their homes unaffordable.

Throughout my career, all I can tell my colleagues is one constant is this great, legendary legislator, somebody who embodies all the best of what this institution stands for. I just want to let her know how proud I have been to be able to serve with her here and how proud I am to be able to tell a story of the time when she just beat me flat-out because that is just how she plays. She plays it for her State every time, and no waiting if it is Louisiana. I know all the people of Louisiana know that about her.

So congratulations on your great career.

I yield the floor.

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

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

Mr. HEINRICH. Mr. President, as I start my comments on the land title legislation before us, I would be remiss if I did not mention the incredible work our chair MARY LANDRIEU has done on this legislation. As we just heard from the tribute to her service over the last few minutes, as the Presiding Officer said in his comments, if you Google "bipartisan," there will be a picture of MARY LANDRIEU. I think this title sort of embodies that. We owe great gratitude to Chairman LANDRIEU and to Ranking Member MURKOWSKI for the incredible negotiation and work they have put into this package.

We stand on the cusp of passing one of the most significant pieces of public land legislation since the omnibus bill of 2009. I stand here to speak on behalf of this well-balanced package which is absolutely critical for jobs across the Western United States and particularly from the perspective of my home State of New Mexico.

I want to say that absolutely none of this would be possible were it not for the years of effort and support from the local communities that helped to craft this legislation. Thanks to their work, New Mexico's critical public land-based economic engine will continue to grow and the energy, tourism, and sporting and recreation sectors. New wilderness and National Park Service units will continue to make New Mexico an unmatched destination for world travelers as well as to the local families who have known for centuries that New Mexico truly is the land of enchantment.

I wish to start by talking a little bit about a place that is located in the Carson National Forest in northern New Mexico.

This is a picture of Lobo Peak, which is part of this area called Columbine Hondo. Lobo Peak is 12,000 feet and change. It is quite a spectacular view—the kind of view most people associate with Montana or Colorado or Wyoming. The Sangre de Cristo mountains in northern New Mexico are unmatched or could match any of those mountain ranges in States found farther north in the Rockies.

Columbine Hondo has been managed as a wilderness study area since 1980. It is an area that is cherished by all who know it and is a key attraction for the local tourism and outdoor recreation economy.

When I was a young outfitter guide and the executive director of the Cottonwood Gulch Foundation, Columbine Hondo was one of the spectacular destinations where our students backpacked and slept under the stars and learned to navigate in the backcountry. This area has some of the best elk, mule deer, and bighorn sheep habitat in New Mexico. People come from across the Nation to experience a true wilderness elk hunt in its aspen and fir forests.

Fishermen will tell you that it is home to some of the last, best habitat for our native Rio Grande cutthroat trout, which is, coincidentally, New Mexico's State fish as well.

Columbine Hondo is home to the headwaters of the Red River and the Rio Hondo. There is nothing more precious in a State such as New Mexico than our water. Those are major tributaries of the Rio Grande. The snowmelt from Lobo Peak, seen here, and from Gold Hill provide critical irrigation water to local acequia associations that carry on centuries-old agricultural traditions.

For millennia now, these mountains, rivers, and wildlife have supported New Mexico's traditional communities. The first evidence of human habitation here stretches back 11,000 years. Nearby Taos Pueblo has been continuously inhabited for more than 1,000 years. Spanish settlers first came to the area in the 16th century. Hispanic families have relied on these mountains and their bounty for their way of life ever since.

Today Columbine Hondo is a central attraction to visitors to Taos County, where outdoor recreation and tourism drive the local economy and contribute to a 68,000-job-strong public land recreation industry in our State.

In addition to finally designating Columbine Hondo as a full-fledged wilderness area, this package would also expand the Wheeler Peak Wilderness by approximately 650 additional acres while modifying a boundary in order to create a loop trail accessible by mountain bikes along the Lost Lake Trail from Taos Ski Valley, to the East Fork Trail, to Red River.

This proposal has broad community support, including Taos Pueblo, many local government leaders, hunters, fishermen, business owners, land grant heirs, ranchers, acequia parcientes, conservationists, mountain bikers, veterans, and literally the list could go on and on.

In October, on my birthday—I could not have asked for a better birthday gift—I was able to join the Columbine Hondo Wilderness Coalition as well as regional stakeholders and local elected officials for a hike into the area to highlight the conservation and water initiatives they support. Local residents discussed why they support permanently protecting Columbine Hondo and what the area means to them and their livelihoods and their lives.

Esther Garcia, an acequia commissioner and the former mayor of Questa, expressed her support well when she said:

Columbine Hondo is very important to all of us. To preserve this beautiful wilderness area, we preserve our hunting, our pinon picking, our herb gathering.

I thank all of the residents of Taos County who have worked hard for decades—literally decades—to make this wilderness area a reality.

Also included in this public land package is a provision to transition the

Valles Caldera National Preserve in New Mexico to new management to increase public access. This proposal was developed after extensive input from local residents, sportsmen, business owners, elected officials, and is supported by a number of local chambers of commerce. Together they decided that a national preserve, managed by the Park Service, with a mandate for hunting and fishing to remain central to the management of the area, was the best way to ensure expanded public access while preserving the incredible landscape for future generations.

As you can see from this photo, Valles Caldera is often called New Mexico's Yellowstone for a reason. It is literally an area that was created as a collapsed supervolcano, where cinder cones rise up out of the high-elevation grassland and where the cinder cones and the mountains that encircle this collapsed crater are covered in Douglas-fir and fir and aspen forests. It is a spectacular landscape. The Caldera is home to crystal-clear trout streams and some of the best elk habitat in the country.

Since this area was transitioned to public ownership, the preserve has been managed by a board of trustees charged with generating enough revenue from user fees and other sources to make the preserve financially self-sustaining—literally the same model used for the Presidio in San Francisco, but, as you can see, this is not San Francisco. This management regime has led to drastically limited public access, with relatively high entrance and permit fees, blocking many New Mexicans and other Americans out of this public land. By shifting to Park Service management, we can open the Valles Caldera to the public while conserving the incredible, really one-of-a-kind unique resources that are found here.

As someone who has been lucky enough to draw an elk tag in the Caldera, expanding hunting opportunities for the public is one of the primary reasons I am supporting this proposal. The preserve model ensures that hunting and fishing remain a central activity for the public to enjoy. National Park Service management will help balance expanded public access with conserving both the natural and the incredible cultural resources that are found in this area.

Park Service management will also help bring more visitors and will raise the national profile of the preserve for visitors from outside New Mexico. The increase in visitors at the preserve is expected to bring more than 200 jobs and \$8 million in wages to the local communities in the region. That is great news for places such as Los Alamos, Espanola, and Jemez Springs.

We have seen elsewhere how protecting public lands spurs economic development. According to Headwaters Economics, rural counties with protected Federal lands such as national parks and preserves saw a 345-percent increase in jobs over the last four dec-

ades, whereas rural counties without commensurate protected public lands saw job increases of only 83 percent in the same period.

I thank the local communities and all the elected officials who have worked so hard for decades to make this proposal possible. I thank Senator TOM UDALL and former Senator Jeff Bingaman for their leadership on this issue.

We all literally stand on the shoulders of giants in this community effort, as it was Senator Clinton P. Anderson of New Mexico who helped pass the Wilderness Act and who first proposed National Park Service management of the Valles Caldera in the early 1960s.

Additionally, as the son of a Navy sailor who literally saw the last of the aboveground atom bomb explosions and the first of the hydrogen bomb explosions firsthand, I am especially pleased to see that the Manhattan Project National Historical Park Act, which was introduced by Senator MARIA CANTWELL, is also included in this title. It will establish three different educational sites—one in Los Alamos, NM, one at Oak Ridge in Tennessee, and one at Hanford in Washington. Los Alamos, NM, has made incredible contributions to our Nation's nuclear history. These parks will conserve historic sites and artifacts that played a key role in the dawn of the nuclear era, while telling the story of the creation of the world's first atomic bomb and exploring its consequences for our society and our world.

Finally, I would like to mention the provision in this package that will benefit New Mexico's energy economy. It is one that I know Senator LANDRIEU was very supportive and excited about. It is a bill that I cosponsored, but it was authored by my colleague Senator TOM UDALL, who championed this effort to ensure that the Bureau of Land Management has the staff it needs to streamline the oil and gas drilling permit process, while at the same time strengthening the review system that helps them meet important environmental and safety standards.

Thousands of jobs and a sizable portion of our State's economy are supported in New Mexico by the oil and gas industry. Increasing cooperation among Federal agencies and business is an important way to boost job creation, while at the same time expanding domestic energy production.

Like other Americans who value our shared lands as assets to be utilized, to be enjoyed, and to be passed along to future generations, these are all things worth fighting for. I am committed to carry on my State's rich conservation history, and this legislation makes an enormous contribution to that ever-evolving story.

I yield the floor to my colleague the Senator from Montana.

Mr. TESTER. I thank the Senator from New Mexico for his comments on the land portion of the national defense authorization. I very much appreciate

the work he has done and his hard work fighting for the people of New Mexico since his time in the Senate.

We thank you very much for your leadership, Senator HEINRICH.

Mr. President, 1 million people live in the great State of Montana. We are home to farmers, ranchers, working families, small business owners, and to bold sports men and women who explore until they are too exhausted to take another step.

Our lands are famous worldwide, from Glacier National Park and Yellowstone National Park to wild and scenic rivers such as the North Fork of the Flathead River. We attract the best explorers, the best hunters and anglers, and all those who simply want to get away from it all.

But our outdoors just aren't for out-of-staters. Montanans deeply value our land. Many Montanans remember their first hunting trip. Many recall where they landed their first trout. I remember riding horses with my father in the Bear Paw Mountains.

Montanans come with a lot of opinions, but one issue that unites us is taking care of our public lands and keeping our public lands in public hands. We want to make sure our kids and grandkids can hike in the Bob Marshall Wilderness, that they can catch their first fish in the clean waters of the Madison River, and that our outdoor traditions remain strong for generations to come.

As a Senator from Montana, it is my responsibility to make sure we preserve these treasured places, that we responsibly use our lands to advance the interests of our State and of our country. That is why I am proud to support the Montana lands bills that will probably be voted on tomorrow.

These bills are a product of years of negotiations. Ranchers and conservationists started working on the Rocky Mountain Front Heritage Act before I became Senator. These bills are a product of compromise led by folks on the ground—the folks who live and breathe Montana's outdoors every day—and these bills are a product of Montana's congressional delegation working together to move Montana forward.

We all know Congress fails to agree on much these days. Gridlock and roadblocks are common. Few people are willing to compromise, but when you give a little, you get a lot. That is how Montana's lands bills became a part of this legislation.

These bills have been vetted on the ground by Montana ranchers such as Dusty Crary, Karl Rappold, and many others. They have been approved by committees and negotiated for many years. They not only deliver on our promises to Montana's ranchers but also to the outdoors men and women, business owners, and Native American tribes. They are Montana-made bills.

Take the Rocky Mountain Front Heritage Act for example. This bill protects public access along the Rocky Mountain Front for hunters, anglers,

outdoors men and women. The Front is a special place in Montana lore. It is where the Rocky Mountains shoot straight out from the plains into the sky. It is a breathtaking, magnificent sight.

It is an ecosystem like none other in the lower 48 States. The heritage act designates 208,000 Front acres as a conservation management area, adds another 67,000 acres to the Bob Marshall Wilderness, and supports a noxious weed management plan.

At the same time, it allows for continued grazing access for Montana ranchers, follows BLM recommendations on approximately 14,000 acres of wilderness study areas, and requires new assessments of oil and gas potential in two others.

Some will question the details of this bill and others in the package, but Montanans know how to responsibly manage our lands. We know what irresponsible development looks like.

More than 100 years ago mining corporations pillaged our lands in their search for copper, silver, and other minerals. Not only did they turn our mountains inside out and pollute our waters, they ignored workers' rights and bought influence over Montana's elected leaders.

In response, Montana passed legislation to limit corporate influence in elections in 1912. We followed that in the 1970s with one of the most progressive State constitutions to date, enshrining protections for a clean and healthy environment into law.

A fellow by the name of Max Baucus got his first taste of politics during that Constitutional Convention, the same Max Baucus who worked on and introduced the Rocky Mountain Front Heritage Act in 2011. Passing this land bill helps fulfill Max's legacy in Montana and honors the hard work of his staff and the bill's many supporters.

Before Max introduced this bill, he received a letter from a rancher along the Front. Ben Pierce was his name. Ben told Max he wanted to see the Front remain a place with both well-managed working ranches and vibrant wildlife values.

Ben supported the bill because he knew that preserving the ranching culture was critical to Montana's economy and our way of life, but he also supported the bill because he knows we must preserve Montana's most special places.

That is because Montana's outdoor treasures are not only symbols of our heritage, they are also incredible economic drivers. Montana's outdoor economy, thanks to places such as Glacier and Yellowstone, creates or sustains some 64,000 jobs and contributes nearly \$6 billion to the State's economy every year. That is impressive in a State of just 1 million people.

From outdoor stores to park cafes, Montana's economy thrives when Montana's outdoors are preserved and accessible. Preservation and access are also the cornerstones of the North

Fork Protection Act, another legacy of Senator Baucus. The bill permanently protects the American side of the North Fork of the Flathead River watershed by barring future mining or drilling.

The land is adjacent to Glacier National Park. It is bound by snow-capped mountains, ringed by awe-inspiring valleys, and bisected by beautiful blue-green waters that are home to some of the Nation's best white-water rafting.

Its Canadian cousin across the border is already protected. Thanks to this bill, the American side of the watershed will be protected from oil and gas development forever.

Preserving the North Fork is not only good for the wildlife or the hiker who enjoys it, it is also good for our economy and our nearby communities.

That is why this bipartisan bill is supported by the local chamber of commerce and by the mayor of nearby Whitefish, who said this bill's passage "means permanent protection of our community's water supply," and we all know how important water is.

These two measures are not the only bills that will benefit Montana in this lands package.

My Cabin Fee Act provides economic certainty for folks who have seen their fees skyrocket on Forest Service cabins. Many of these cabins pass from generation to generation, and this bill makes sure family cabins can be enjoyed by those who cherish them.

This package also does right by our Native American friends. The Northern Cheyenne Lands Act restores the tribe's mineral rights to 5,000 acres within its boundaries, strengthening the tribe's control over its lands, resources, and trust funds.

It corrects an error that was made by the Federal Government more than 100 years ago. That, in and of itself, makes it a worthy endeavor.

But there are other areas where we can work together. Just as these bills are Montana-made solutions, we can—and I believe we will—come together over Montana-made solutions to better manage our forests.

For decades folks in Montana have argued over our lands, battled over access, and we have fought over resource development. We have sued and countersued over logging, but in Montana we haven't had a new wilderness designation in 31 years. Why? Because we haven't been able to compromise, but now we have. It means progress for Montana.

This agreement is bipartisan, and I was proud to work with Senator WALSH and Senator-elect DAINES to bring it to reality. I hope we can find more ways to compromise over lands issues and other legislation moving forward because, after all, it is the future that matters most. Whether this body is debating immigration reform or an education system, how to rebuild infrastructure, we must always look to the future.

We want the best for ourselves and for our communities. We want to leave this world in better shape than we inherited it, and we want to pass down our treasured lands and outdoor traditions to our kids and our grandkids wherever they may live. Places such as the Rocky Mountain Front and the North Fork are living legacies to Montana's greatness.

There are many reasons to preserve these places, but the best I have heard comes from Gene Sentz, who hails from Choteau, MT. Gene wrote a book about the Rocky Mountain Front. In it he quoted another Montanan who said: "Some places on Earth should be left alone, even if solid gold lies beneath it them."

I couldn't agree more. Montana is home to sky-touching mountains and beautiful plains that roll on as far as the eye can see. It is home to many hard-working men and women and to Native Americans with deep connections to the land.

But it is the last best place because we are all of these things and because we are willing to work together to preserve and strengthen them.

I am very proud of this historic agreement, and today I am particularly proud to be a Montanan.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HEITKAMP. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### VIETNAM VETERANS

Ms. HEITKAMP. Mr. President, I was struck by the last two great speakers, Senator HEINRICH and Senator TESTER, showing us amazing pictures of the beauty of the Western part of our wonderful country. I thought, well, those are really beautiful pictures—not quite as beautiful as North Dakota, but we will acknowledge that these are areas that will open your soul, open your eyes, and make it possible for you to see the beauty that is this great country and the resilience of the people who settled in the areas of the West.

It made me think—and I think, more importantly, understand—that all of what we are in this country is only possible because men and women, for centuries, have stepped up to serve our country and to serve our country in the Armed Forces.

I rise to talk about an issue that hasn't gotten a lot of attention in this country, this quiet thing that is going on in the VFW halls, the AMVETS, the DAVs, and the American Legion halls in my State.

I am talking about not only that kind of sacrifice but recognizing and moving to a special recognition this year. So I want to talk about North Dakotans because we are all extraordinarily proud of our States, but we

know in North Dakota that North Dakotans have always answered the call to serve, in particular, my friends within the Native American community, who have answered that call to service in record numbers.

I have made it a priority during my time in the Senate to meet as many of my State veterans as I can. I want to hear their stories and I want to learn about the challenges of their everyday lives and what we need to do to fulfill our obligation and our sacred trust to live up to the commitments we made, as they lived up to the commitments they made to serve our country and to protect our freedoms on the battlefields around the world.

Through these trips I have met a lot of wonderful veterans—World War II veterans and their proud stories of their service in the Pacific and Europe. I have met Korean war veterans with memories of what is often referred to as the forgotten war. It may be forgotten by others, but it is not forgotten by me or the people in my great State of North Dakota.

Then there are our newest veterans, with new challenges, from the conflicts in Iraq, Afghanistan, and the overall war against terror. These young veterans, men and women, face difficult challenges, and I think many different challenges than perhaps their counterparts from previous service relationships. But I think they are helping change the way our Nation sees our veterans.

All of these veterans, without a doubt, deserve a place of honor in our society. All of them served and deserve our thanks for their service and their sacrifice. Together, they have protected our freedoms and allowed our Nation to flourish. But today—today—I want to talk and focus on America's Vietnam veterans—North Dakota's Vietnam veterans.

We are in the midst—and I am not sure a lot of people know this—of a remembrance of the 50-year anniversary of the Vietnam war. On May 25, 2012, President Obama issued a proclamation. I have the proclamation here. This proclamation was issued to honor our Vietnam vets—those brave servicemen who gave their lives—and their families. It is to honor all the veterans' service, but particularly to recognize those who lost their lives. I want to quote from this proclamation:

As a grateful Nation, we honor more than 58,000 patriots—their names etched in black granite—

That monument is not too far from this symbol of American democracy, our Nation's Capitol.

—who sacrificed all they had and all they would ever know. We draw inspiration from the heroes who suffered unspeakably as prisoners of war, yet who returned home with their heads held high. We pledge to keep faith with those who were wounded and still carry the scars of war, seen and unseen.

This special period of honoring our Vietnam veterans runs through 2025, since our involvement in the war

stretched through 1975. That is the period which we are going to recognize as the 50-year commemoration and anniversary as this period continues.

It remains important to talk about the Vietnam war and its veterans as much as possible. The Vietnam war represents a difficult time in our Nation's history. By taking time to thank our Vietnam vets and honor their service, our Nation makes another great attempt to bind up the unhealed wounds left behind.

In North Dakota, there have already been a number of veterans events related to the 50th anniversary of Vietnam. I am sure such events are happening in many other States. In fact, there is a Web site—if you want to check it out—where you can look at what is happening in every State across the Union honoring Vietnam veterans in ceremonies being prepared and mainly driven by veterans groups. Hopefully—and one of the purposes in coming here is to urge my colleagues to participate in those events—to participate as they do every day in saying thank you to our Iraqi war vets and our Afghanistan war vets—participate in any event that you can to say thank you to our Vietnam veterans and to the families of those people in your State who lost their loved ones in service to their country.

For myself, I plan to host an event to honor all Vietnam veterans throughout North Dakota next year. Through this effort I hope to help make our Nation remember and never forget the needs of our Vietnam veterans. The Congress needs to make policy decisions so the VA can meet the needs of the next generation of veterans, but we can't forget the unique needs of our Vietnam era veterans.

I have spent hours talking to Vietnam veterans who tell me repeatedly: When I got out of the service, the last thing I wanted to do was go to the VA. And there are a lot of reasons for that. In the 1970s, the VA wasn't a place where people thought they could go for quality health care, where they thought they could go for help. They wanted to forget that part of their service. So a lot of those unseen wounds of servicemen from the Vietnam war went unhealed, and it manifests itself in a high rate of homelessness, a high rate of poverty, a high rate of substance abuse, and a high rate of despair.

We are seeing now that our Vietnam veterans—in both those who have lived incredibly fruitful lives and are now aging into the system—coming back to our VAs across the country, coming back to our community-based outreach clinics, coming back to our VA hospitals, and for the first time asking for access to service. They are finding they do not always see the level of service they are entitled to.

I recently worked to restore and provide the appropriate paperwork so a Vietnam veteran who had clearly earned a Purple Heart actually re-

ceived the benefits of a recipient of the Purple Heart in the VA. All of these issues will now begin to work their way through the VA. They will continue to work their way through our veterans service organizations.

It is time, I think, to take a pause, as the President did in this proclamation. And to understand the basis of this, it was required by a bill similar to the one we are debating today—NDAA—to begin this commemoration. It was a mandate from this Congress—not this particular Congress, but from the U.S. Congress—to begin to have this ceremony.

I was struck by the fact that when our veterans have lost their lives in Iraq and Afghanistan, most of us have pictures in our offices. We have a poster or some kind of commemoration in our office of that sacrifice. Yet we have never seen that kind of commemoration or that kind of depiction for our Vietnam veterans. So along with the AMVETS in the great city of Bismarck, which has done tons of research in collecting pictures and collecting images of the 198 veterans, the 198 servicemen from North Dakota who lost their lives in Vietnam, I thought it an appropriate commemoration for my office to have something that we walk by every day and, therefore, say to the families of all these young men who are on this poster that every day we honor their sacrifice, we honor your loss, and we honor the fact that we will never know what these 198 young men could have been had they survived this war. We don't know if they could have been standing here giving a speech instead of me. We don't know if they would have been mayors of our small towns or the industrial leaders who invented a product as lucrative and as innovative as the Bobcat, which originated in North Dakota. It was invented in North Dakota and it is manufactured in North Dakota. We will never know.

But one thing we do know—the one thing we do know—about all of these men is they lost their lives and sacrificed to the greatest extent that one can sacrifice in honor and service of this country, and they deserve to have this period of remembrance. They deserve to have a recognition, and their families deserve to have the United States of America pause—pause for a period of time to say thank you—thank you from a grateful nation.

So posters like this will be in every one of my offices across North Dakota and certainly here in the Nation's Capitol. I know for States such as that of the Presiding Officer's State of Massachusetts, just looking at the numbers, it is probably not possible to have a photographic image of every Vietnam veteran or every person who served in Vietnam and who, unfortunately, lost their life, but it is possible to have their name. It is possible to have a place of remembrance where they can be honored during this time period mandated by this body and approved

and proclaimed by the President of the United States. It is possible to have a place of honor and remembrance.

So I intend, over the next year, to come and talk a little bit about the lives of each one of these young men, to talk about the challenges of Vietnam veterans, to talk about what it is we need to do today to make up for past sins of this country in not recognizing this service. I challenge the other Members of this body to do the same thing during this period of remembrance and recognition and honor, and to think about not just the past but to think about the future; think about the amazing sacrifice of 198 North Dakotans who gave their lives in service to our State and in service to our country and for the betterment of all humankind.

With that, Mr. President, the challenge is issued.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 560, S. 1535.

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

The bill clerk read as follows:

A bill (S. 1535) to deter terrorism, provide justice for victims, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1535

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Justice Against Sponsors of Terrorism Act".

##### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) The Constitution confers upon Congress the power to punish crimes against the law of nations and therefore Congress may by law impose penalties on those who provide material support to foreign organizations engaged in terrorist activity, and allow for victims of international terrorism to recover damages from those who have harmed them.

(3) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(4) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United

States for conduct directed and targeted at the United States.

(5) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under the Anti-Terrorism Act of 1987 (22 U.S.C. 5201 et seq.).

(6) The decision of the United States Court of Appeals for the District of Columbia in *Halberstam v. Welch*, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of the Anti-Terrorism Act of 1987 (22 U.S.C. 5201 et seq.).

(7) The United Nations Security Council declared in Resolution 1373, adopted on September 28, 2001, that all countries have an affirmative obligation to "[r]efrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts," and to "[e]nsure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice".

(8) Consistent with these declarations, no country has the discretion to engage knowingly in the financing or sponsorship of terrorism, whether directly or indirectly.

(9) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(10) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

##### SEC. 3. FOREIGN SOVEREIGN IMMUNITY.

Section 1605(a) of title 28, United States Code, is amended—

(1) by amending paragraph (5) to read as follows:

"(5) not otherwise encompassed in paragraph (2), in which money damages are sought against a foreign state arising out of physical injury or death, or damage to or loss of property, occurring in the United States and caused by the tortious act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of the office or employment of the official or employee (regardless of where the underlying tortious act or omission occurs), including any statutory or common law tort claim arising out of an act of extrajudicial killing, aircraft sabotage, hostage taking, terrorism, or the provision of material support or resources for such an act, or any claim for contribution or indemnity relating to a claim arising out of such an act, except this paragraph shall not apply to—

"(A) any claim based upon the exercise or performance of, or the failure to exercise or perform, a discretionary function, regardless of whether the discretion is abused; or

"(B) any claim arising out of malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, interference with contract rights, or any claim for emotional distress or derivative injury suffered as a result of an event or injury to another person that occurs outside of the United States; or"; and

(2) by inserting after subsection (d) the following:

"(e) DEFINITIONS.—For purposes of subsection

(a)(5)—

"(1) the terms 'aircraft sabotage', 'extrajudicial killing', 'hostage taking', and 'material support or resources' have the meanings given those terms in section 1605A(h); and

"(2) the term 'terrorism' means international terrorism and domestic terrorism, as those terms are defined in section 2331 of title 18."

##### SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

"(d) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, or that was so designated as a result of such act of international terrorism, liability may be asserted as to any person or entity that aided, abetted, or conspired with the person who committed such an act of international terrorism.

"(e) NON-APPLICABILITY OF LAW OF PRECLUSION.—Any civil action or claim that seeks recovery under this chapter for conduct that was the basis of a civil action or claim previously dismissed for lack of subject matter jurisdiction for failure to meet the requirements for an exception under section 1605(a) of title 28 is not subject to dismissal under the law of preclusion."

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendments made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

##### SEC. 5. PERSONAL JURISDICTION FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

Section 2334 of title 18, United States Code, is amended by inserting at the end the following:

"(e) PERSONAL JURISDICTION.—The district courts shall have personal jurisdiction, to the maximum extent permissible under the 5th Amendment to the Constitution of the United States, over any person who commits or aids and abets an act of international terrorism or otherwise sponsors such act or the person who committed such act, for acts of international terrorism in which any national of the United States suffers injury in his or her person, property, or business by reason of such an act in violation of section 2333."

##### SEC. 6. LIABILITY FOR GOVERNMENT OFFICIALS IN CIVIL ACTIONS REGARDING TERRORIST ACTS.

Section 2337 of title 18, United States Code, is amended to read as follows:

##### "§2337. Suits against Government officials

"No action may be maintained under section 2333 against—

"(1) the United States;

"(2) an agency of the United States; or

"(3) an officer or employee of the United States or any agency of the United States acting within the official capacity of the officer or employee or under color of legal authority."

##### SEC. 7. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder