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Senate

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

PRAYER

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

Let us pray.

Eternal God, the source of our being, on yesterday, December 7, we remembered how You sustain us even through unexpected tragedies. We recall the deaths, injuries, heroism, doubts, disbelief, and patriotism on that date that will live in infamy.

Lord, continue to guide this land we love on its labyrinthine path to greatness. Protect it from dangers seen and unseen as You unite it for the common good. Use our Senators for Your glory as our Nation seeks to bring deliverance to captives and to let the oppressed go free.

We pray in Your great Name. Amen.

NOTICE

If the 113th Congress, 2nd Session, adjourns sine die on or before December 24, 2014, a final issue of the *Congressional Record* for the 113th Congress, 2nd Session, will be published on Wednesday, December 31, 2014, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Tuesday, December 30. The final issue will be dated Wednesday, December 31, 2014, and will be delivered on Monday, January 5, 2015.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 5:30 this afternoon.

At 5:30 p.m., the Senate will proceed to three rollcall votes on the confirmation of Jeffery Baran to be a member of the Nuclear Regulatory Commission; Lauren McFerran to be a member of the National Labor Relations Board; and Ellen Williams to be Director of

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

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the Advanced Research Projects Agency at the Department of Energy.

TRIBUTES TO DEPARTING SENATORS

CARL LEVIN

Mr. REID. Mr. President, I am very happy to be here today to talk about a couple of my friends—I should say the Senate's friends. I have received a lot of gifts while I have been here. My colleagues, over the years, have given me things here in the Senate, but one gift stands out really strongly in my mind. On my desk, not far from here, I have this big painting—it is a very famous painting from the National Portrait Gallery of Mark Twain.

Mark Twain, I tell people, was born in Nevada, which is really true. Samuel Clemens wasn't, but Mark Twain was. Orion Clemens was chosen as the Territorial Secretary of Nevada, and he told his younger brother Samuel: Come West and I will find you a job. Samuel had been fighting, which he didn't like, in the Civil War, so he came West to join his brother. But his brother couldn't find him a job, so Samuel Clemens bummed around for quite a while.

Without belaboring the story too long, the fact is, Mark Twain finally went up to Virginia City, which was booming at the time, and he went to the Territorial Enterprise newspaper and got a job as a reporter. This was a stunningly good and important start for his first writing that he had done. That is where he started his fame.

He would have stayed in Nevada longer, but someone challenged him to a duel for some of the things he wrote. So being the smart man he was, he didn't want to duel so he left town, went to California, where he wrote two best-selling books, ''The Celebrated Jumping Frog of Calaveras County'' and ''Roughing It,'' which was about his experience in bumming around Nevada until he found a job. These were best sellers. These were great books.

The point of the story, though, is he went to Virginia City as Samuel Clemens and took the name Mark Twain. That is where the name came from.

This means a lot. It is a story I tell many times to people who come to my office. So CARL LEVIN, the wonderful, kind, thoughtful man that he is, said: Can I come and see you? And I said: Sure. He brought to me I guess it is one of the rare double signatures of Samuel Clemens. There may be others, I just have never heard of one. This was done at a club in Hannibal, MO. The club's name was Labinnah—Hannibal spelled backwards—and Mark Twain, in 1902, because of how famous he was, signed Samuel Clemens, Mark Twain, and wrote through the whole—he didn't want anybody else's name there. He wanted just his. So that is the gift he gave me.

That was so fitting. It fits my office perfectly, and it means a lot to me. CARL LEVIN brought with him this handwritten note: ''I got this at an auction 10 yrs. ago not knowing why. It just dawned on me! Best on the New Year, CARL.''

That was so nice of him to do that, and it is so hard to explain my appreciation, although I am trying to do that here by outlining what a wonderful human being CARL LEVIN is. What he did for me is an example of who CARL LEVIN is and how he thinks of people. He remembered the story I told him about Mark Twain, and he said, I am sure, to himself: I have this thing I got 10 years ago; I will give it to the Senator, my friend. So he gave me that plaque just because that is who he is.

He has always been attentive to the interests of the people of Michigan and our country. He is the longest serving Senator in the history of the State of Michigan—36 years. His legislative accomplishments are significant. I would say they are unmatched by almost anyone.

CARL LEVIN has stood his ground on controversial issues, and that is an understatement. He has fought to give average Americans a fair shot at what is going on in the world. He has always spoken with a clear voice, speaking for justice, equality, and fairness.

(Mr. MURPHY assumed the Chair.)

The Presiding Officer is a lawyer, I am a lawyer, but I am not sure I would be the best person, if you gave me a document, to look it over and make sure there was everything in that document you wanted in it, but CARL LEVIN is the person you want. I call him my nitpicker. He is so good at making sure everything is right; that every i is dotted, every t is crossed. Bring in CARL LEVIN if you have something and you really need someone to look at it and think it through.

CARL was a prominent lawyer, as was his dad, in Michigan. His dad served as a member of the Michigan Corrections Commission. After graduating from high school, his father worked as an assembly line worker. CARL LEVIN also knew how to work with his hands, but he followed in his father's footsteps by being an extremely hard worker. He attended college at Swarthmore and received a bachelor of arts degree there. Then he attended Harvard Law School and received his juris doctorate from Harvard.

He practiced in the private sector for a while. He began his public career as the first general counsel for the Michigan Civil Rights Commission. He was elected in 1968 to the Detroit City Council, and he served there until 1977. He was elected to the Senate in 1978. CARL has functioned in this body as a levelheaded mediator who is guided by the protection of people in Michigan and our country.

In the past 36 years, CARL has cast over 12,000 votes. Some of those votes were hard, and not always popular, but they were CARL LEVIN votes. He did what he thought was right. When General Motors and Chrysler, in the last few years, faced a potential collapse, he recognized their bankruptcy would devastate the people of Michigan and have a detrimental—effect and that is a gross understatement—on this country. He pressed the incoming Obama administration to support the companies with loans. There was a hue and cry from people who opposed that, saying that is the wrong thing to do, Levin is wrong, Obama is wrong. But they were right. Look what it has done to energize, revitalize the State of Michigan, the whole Detroit metropolitan area and our country, with tens of thousands of new jobs as a result of his advocacy. As I said, it wasn't a popular position at the time, but CARL knew what was good for Michigan and good for our country and he has been vindicated a hundred times over.

CARL has been chairman of the Senate Permanent Subcommittee on Investigations for 10 years. During that period of time, he has done some unusually important things for our country through this committee. Corporate money laundering—1999. He delved into that very deeply.

CARL LEVIN is not a headline hunter. CARL LEVIN is a substantive legislator. He could have held a lot more hearings, but he held them about every 6 months because he wanted his hearings to be CARL LEVIN hearings where, I repeat, every i was dotted, every t was crossed, and they were very powerful hearings.

Gasoline price manipulation, the Enron scandal—he delved into that very deeply.

Misconduct in the United Nations oil-for-food program, tax haven banks and offshore corporate tax evasion—he has talked about that and talked about that. Very notable legislation as a result of the work he has done: Wall Street reform, the Consumer Protection Act, the Credit Card Act, the PATRIOT Act.

CARL LEVIN is a very fine legislator. He fought for Wall Street reform when others were afraid to do so, and he helped restore the broken financial system that held powerful institutions accountable for their actions. CARL's persistence earned him a slot in Time magazine's list of America's 10 best U.S. Senators. They called him the ''Bird-Dogger.''

Well, that is what he is. Put him on an issue and he will come back with the prey. He is very good. He never stops. He is a sharp-eyed overseer of U.S. defense policy. He has spent his entire career promoting defense policy that protects America's interests at home and abroad while safeguarding the men and women who serve.

CARL is the Chair of the Senate Defense Committee. During the Nation's most trying of diplomatic times he has done a remarkable job to make sure the military is protected.

Even though he was Chair of this big powerful committee—the Defense Committee—he felt so strongly and he foresaw what a lot of us didn't see. He saw the disaster that would accompany an

invasion of Iraq. Accordingly, he talked about how bad it would be and voted against it. CARL LEVIN was right and a lot of us were wrong. I have said before on the Senate floor, of all the votes I have cast during the time I have been in government, the worst was voting for the Iraq war. But I did. CARL LEVIN did not.

But for all of his accomplishments in Congress, his greatest achievements reside in his home. CARL and his wife of over 50 years, Barbara, have three beautiful daughters: Kate, Laura, and Erica. Landra and Barbara are good friends. They are part of a book club. They have had a wonderful relationship over these many years. So as CARL retires from the Senate, I know he is going to cherish the time he is going to spend with his family.

But also CARL and I have had a long, long ongoing conversation. He and his brother SANDER own about 100 acres. They have had it for a long time. CARL LEVIN is not a man of wealth, but he and his brother bought this 100 acres that has nothing on it but trees. He calls it his tree farm. He has shown me pictures of it. I have not seen it lately, but I have had for 15 or 20 years a hat he gave me—a green baseball-type cap—that says ''tree farm'' on it. I used to tell him I still have that cap. And I still have that cap, CARL.

He will be missed here in Washington. He will be missed in the Senate by all of us. But he will be missed more by his older brother SANDY, who is the ranking member on the Ways and Means Committee in the House. They have served together in Congress for 32 years.

I have said this on the floor before, and I will say it again. I will remember CARL LEVIN for a lot of things, but when I was in the House, I came over to visit with him. I was thinking about running for the Senate. I said: CARL, I came to the House with your brother SANDY. He looked up at me and said: SANDY is not only my brother, he is my best friend. That speaks well of the person who CARL LEVIN is.

It has really been a privilege and an honor to serve with CARL. I will miss him so very, very much. I will miss having somebody to take the difficult issues to, to get his view as to what we should do, how we should handle it.

His voice will be missed here in the Senate. I congratulate him on his incomparable career in the Senate, and I wish him the very best.

JAY ROCKEFELLER

Mr. President, it is said that you do not choose your family, and that is true. We are born into our families. We have no way to determine the family we are born into. Yet as a 27-year-old JAY ROCKEFELLER chose to make the people of West Virginia his family. How did that happen? How did JAY ROCKEFELLER, born in New York to one of the most famous American families, one of the great dynasties in the history of this country, end up in West Virginia?

He was an undergraduate student at Harvard. He decided he did not like some of the things Harvard was doing, and so he left. He dropped out of school and went to Japan. He spent 3 years in Japan. He became an interpreter. He knows the Japanese language extremely well. He loves the Japanese people. He started out at Harvard. As I indicated, after his junior year, he left for Japan. He was there for 3 years. He came home, returned to Harvard, and finished his degree.

JAY ROCKEFELLER, as a 27-year-old, could have done anything, gone anyplace, gotten any education, started any business, or he could have sat around at a home on one of the beaches around the world and just done nothing. But that is not JAY ROCKEFELLER. He wanted to do something. He did not know what he wanted to do. This ROCKEFELLER wanted to do something that was different.

A friend of his published here for many years a magazine called the Washington Monthly, a guy by the name of Pete Peters. He was a man-about-town. Everybody liked him very much, but he was very close to JAY ROCKEFELLER. So JAY talked to him one day trying to find what he should do in life. Here he was, one of the wealthiest men in America. He had a Harvard degree.

''What should I do?''

Pete Peters told him: ''What you should do is go someplace and work with poor people.''

''Where should I go?''

''Why not West Virginia?''

''West Virginia?''

''West Virginia.''

So he joined AmeriCorps. As a VISTA volunteer, he moved to the small mining community of Emmons, WV. That was in 1964. This man of means, this man of stature, this man of notoriety went to this small little town in West Virginia.

It was not easy for JAY ROCKEFELLER to suddenly find himself in a setting he had never imagined. In the first 6 months he was there, he could hardly get anyone to talk to him. He is kind of an intimidating man. His name is ROCKEFELLER. He is 6-foot-7. But eventually his goodness came through. The people of Emmons, WV, started talking to him, and they really liked the man. From 1964 when he moved there, he knew he wanted to identify with poor people, and that is what he has done since 1964.

In 1966 he was elected to the West Virginia House of Delegates assembly.

In 1968 he was chosen to serve as the secretary of state in the State of West Virginia.

He then became the president of West Virginia Wesleyan College and served there for 3 years.

He then was twice elected Governor of the State of West Virginia. He served from 1976 to 1984.

Governor ROCKEFELLER became Senator ROCKEFELLER in 1985. From the time he first stepped onto the Senate floor, he made it clear he was here for one reason: to fight for the people of West Virginia. Senator ROCKEFELLER fought to provide his constituents with health care. He was an architect of CHIP, a children's health program. It is an insurance program. The Children's Health Insurance Program is one of the most important health initiatives in America's history for kids. He fought to protect Medicaid for half a million West Virginians but for millions and millions of Americans.

He has been a senior member of the Committee on Finance, the chairman of the Commerce Committee, and chairman of the Intelligence Committee. What a remarkable career he has had. He fought very hard to protect the American people from President Bush's efforts to privatize Social Security. He has protected retirement disability benefits by doing that for millions and millions of Americans.

His efforts to help West Virginia have not been confined to this building. As the senior Senator from West Virginia, this big man—I repeat, 6-foot-7—with a very, very long reach, has used that reach to bring jobs to his home State as Governor and as Senator. Because of his recruiting, there are thousands and thousands of West Virginians employed at the Toyota factory in Buffalo; Hino Motors in Williamstown; and at the Kureha plant in a town called Belle. Thousands and thousands of jobs. Diamond Electric, Nippon Thermostat, and NGK Spark Plugs are all companies Senator and Governor ROCKEFELLER helped bring to West Virginia.

The people of West Virginia have been blessed to have Senator JAY ROCKEFELLER as a family member for the last 50 years. They have been blessed to have a person of his integrity and tenacity looking out for them in the Senate.

My respect for JAY ROCKEFELLER is unlimited. He has been my colleague for the entire time I have been in the Congress—32 years. Now, as his time in the Senate comes to an end, he will be sorely missed.

I am sure JAY is looking forward to spending more time with Sharon, this wonderful, wonderful woman—and by the way, whose father was a U.S. Senator—and their children John, Valerie, Charles, and Justin, and their six grandchildren.

I so admire this good man. I congratulate him on a very distinguished career, including five terms in the U.S. Senate, two terms as Governor. I wish him the very best in life.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 5:30 p.m., with the time equally divided in the usual form.

The Senator from Utah.

TRIBUTES TO DEPARTING SENATORS

Mr. HATCH. Mr. President, I have only heard two of the comments of the majority leader—one for the distinguished Senator from Michigan and one for the distinguished Senator from West Virginia. I have to say that both of those Senators deserve a lot of commendation for the service they have given to the Senate. They are both friends of mine.

CARL LEVIN

Senator LEVIN has been a terrific, solid performer for the Democrats in the U.S. Senate, and he is an honest—totally honest—decent, honorable man.

JAY ROCKEFELLER

Senator ROCKEFELLER is on the Finance Committee with me. He is one of the senior people on that committee and certainly one of the people I have enjoyed working with. We worked a number of years ago on the CHIP bill, the SCHIP bill, and he was of inestimable help there. I have to say he has been a wonderful member of the very important Finance Committee.

I will miss both of these brethren and wish them the very, very best in their lives as they go through the remaining years of their lives, and hopefully they and their families will have a wonderful, wonderful time together.

PRESIDENT OBAMA'S IMMIGRATION EXECUTIVE ORDER

Mr. HATCH. Mr. President, as the Appropriations Committees prepare to release the product of their negotiations on a spending bill this afternoon, I rise today to discuss the troubling development that has made their work all the more challenging: President Obama's immigration Executive order. By circumventing Congress, the President has dispensed with the duly-enacted law of the land in a unilateral attempt to alter the legal status of millions of immigrants.

Unfortunately, this issue of Executive overreach is not a new one. Over the past year, I have come to the Senate floor repeatedly to lay out my objections to President Obama's lawlessness—from the release of Guantanamo detainees to ObamaCare, from his purported recess appointments to Benghazi. Today I come to discuss this latest astonishing instance in the area of immigration.

Immigration is a complex and divisive issue, and Americans hold a wide variety of views on the matter. But one thing that should not be controversial is the President's duty to place fidelity to the Constitution over partisan politics.

The Constitution vests lawmaking authority with Congress, not the President. And the Framers specifically sought to end centuries of abuses by the English monarchs, who claimed the power to dispense with the laws of the land, by requiring the President to take care that the laws be faithfully executed. The Constitution does not suggest or invite the President to enforce the law; it obligates him to do so.

The President and his executive branch, of course, exercise prosecutorial discretion—the discretion to choose not to prosecute certain cases. But that power stems from considerations of fairness and equity in particular cases. Instead of requiring individualized determinations in specific cases, the President's latest Executive order claims the power to sweep up millions of people based on only a few broad, widely shared criteria.

The President is also within his rights not to prosecute when there are not sufficient resources to do so, but the Obama administration has never explained how the Executive order would save money. In fact, the administration's own policy advisers have acknowledged that a work permitting program will be expensive and will take away resources from law enforcement. While no one disagrees that capturing and removing violent criminals should be our highest immigration priority, President Obama has gone much further and made current immigration law essentially a dead letter for millions of illegal immigrants.

President Obama cannot credibly claim that he is attempting to execute immigration law faithfully when ICE agents were forced to release 68,000 potentially deportable aliens last year alone, when the administration took disciplinary action against ICE officers for making lawful arrests, and when the President of the National ICE Council felt compelled to testify before Congress that although ''most Americans assume that ICE agents and officers are empowered by the government to enforce the law . . . nothing could be further from the truth.''

Moreover, despite the administration's claim to the contrary, President Obama's action is not comparable to the Executive actions taken by President Reagan or even President George H.W. Bush. Even the Washington Post's editorial board found that claim by the White House to be ''indefensible.'' Presidents Reagan and Bush simply implemented the enforcement priorities established in laws that Congress actually passed. By contrast President Obama has sought to change the law before Congress has acted, so he cannot rely on Congress's authority to enforce the policy he prefers. Here President Obama has acted directly in the face of congressional opposition, and we should call his Executive order what it is: an attempt to bypass the constitutionally ordained legislative process and rewrite the law unilaterally.

We are all sometimes disappointed and even angry about the outcomes of the legislative process. I have certainly felt that way many times over the course of my 38 years here. But the right response is to redouble our efforts to get it right, not to try to subvert our constitutional system.

The President should heed his own wisdom from as recently as last fall when he said that by broadening immigration enforcement carve-outs ''then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that is not an option. . . . What I've said is there is a path to get this done, and that's through Congress.''

Even beyond the legal and constitutional problems with the Executive order, the President's approach is also bad policy. His Executive order greatly undercuts the chances for lasting immigration reform because it undermines our confidence that the President will live with any compromises we agree to forge through the legislative process. The Executive order is even bad for those who are currently here illegally—those who are supposed to benefit from it. Instead of temporary half measures, they need the certainty that only legislation can provide.

Last month, in an election in which President Obama insisted that all of his policies were on the ballot, the American people delivered the President a decisive rebuke. Many of us from Congress took the right message from the election—that it is time for us to come together to find areas of agreement and to govern like adults.

Apparently President Obama missed that message. To announce this Executive order after the defeat at the polls displays shocking arrogance. Given how the White House and its allies in the media keep raising the specter of a shutdown or impeachment, it is clear the President is attempting to goad Congress into a fight rather than work with us in the difficult job of actually legislating.

Unlike President Obama, I am committed to making real progress toward implementing lasting immigration reform. I supported the Senate's comprehensive immigration bill last year. Even though the bill was far from perfect, I voted for it because I believe in working together to get something done on this vitally important issue. As I have long argued, the way to get real immigration reform back on track is not for the President to insist on his ''my way or the highway'' approach, either by trying to enact his preferred policy unilaterally or even for him to demand an all-or-nothing comprehensive bill. Instead we should consider individual immigration reform measures that can win broad support and help rebuild trust in our country. Only by doing so will we clear a path forward for other more far-reaching reforms.

Take the area of high-skilled immigration. We face a high-skilled worker shortage that has become a national crisis. In April for the second year in a row the Federal Government reached its current H–1B visa quota for workers just 5 days after accepting applications. Employers submitted 172,500 petitions for just 85,000 available visas, so

American companies were unable to hire nearly 90,000 high-skilled workers essential to help grow their domestic businesses, develop innovative technologies at home rather than abroad, and compete internationally. Keep in mind most of these folks we have educated in our colleges and universities. They could be of great help to us.

I have been trying to get H–1B expansion through here for a number of months. I think we will get it through honorably. In response to this crisis I worked with my friends Senators KLOBUCHAR, RUBIO, and COONS to introduce the bipartisan immigration innovation or the I-Squared Act. Our bill provides a thoughtful, lasting legislative framework that would increase the number of H–1B visas, based on annual market demand, to attract the highly skilled workers and innovators our economy so desperately needs.

Unilateralism is not the way forward on immigration. If the President is serious about enacting meaningful immigration reform, he can choose to take the first essential step. Even in the current partisan climate there is a widespread consensus and real opportunity for bipartisan, bicameral reform for our outdated visa system for economically essential high-skilled immigrants.

The concrete legislative victory where there is already considerable consensus would help build trust and good will among those who disagree sharply over other areas of immigration policy and would mark a critical first step along the path to broader reform.

For the life of me I cannot understand why the President doesn't accept this hand we are extending to him, knowing that we educate these people, get them their college degrees, their master's degrees, their doctoral degrees, their Ph.D.s, and then we push them out of the country when they want to stay and help us in the continually evolving and impressive high-tech world. It is mind-boggling to me that we do this.

Canada even advertises in California and in the States south of the Canadian border: Come to Canada. You are welcome here. I commend Canada for having the brains and guts and ability and the political instincts to attract these very highly educated—educated in the United States—people, to help them in their high-tech world, in their engineering world, in their mathematical world, in their science world. Of course we can name a whole host of other areas where they are now helping Canadians when they were educated here, wanted to stay here, wanted to be part of America, and we could not provide a means whereby these people could help us and at the same time an intelligent means that people in our society could accept.

That is the not the only action we could take. Naturally we should work together as Democrats and Republicans to do real immigration reform. We have 11 million or more people here who aren't going to go back to their countries. Many of them have never been in their countries, such as the children who were born here and young children who were brought here and never knew anything about their parents' former country. We have to solve these problems, and we don't do it by unilateral actions by a President who basically doesn't seem to give a darn, except for his own unilateral approach to things. That is not what the Presidency should be.

There are three branches of government. They are coequal. The President should enforce laws that are enacted only by Congress. The Supreme Court should interpret laws that are enacted by Congress if there are reasons for doing so. In this case we have a President who basically is ignoring the law, just acting on his own, as though Congress doesn't mean a thing, even though it means everything in these areas.

I counsel the President to change these ways and work with us. I think there will be more people willing to work with him should he do so, and we can solve these problems—we can solve them—not in some stupid, unilateral way that is going to create more problems than it solves but in a way the American people will accept.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

TRIBUTES TO DEPARTING SENATORS

Mr. CORNYN. Mr. President, in the waning days of the 113th Congress it is a bittersweet moment as many of us are saying goodbye—although not on a permanent basis but at least in terms of our official relationships working together as Senators—to so many of our good friends and valued colleagues. Every other December we find ourselves bidding farewell to some of the most admired and respected Members of this Chamber. Today I want to say a few words about three of these esteemed Members, starting with my good friend, the senior Senator from Georgia.

SAXBY CHAMBLISS

SAXBY CHAMBLISS and I arrived in the Senate at the same time following the 2002 elections. At the time, the war on terrorism, as we all know, was barely a year old, and it was by far and away the biggest issue on the minds of Americans across the country and in the Halls of Congress. Senator SAXBY CHAMBLISS immediately established himself as one of the Senate's most important leaders on national security issues, which came as no surprise to anyone who watched his career in the House of Representatives. Indeed, in his capacity as chairman of the House Intelligence Subcommittee on Terrorism and Homeland Security, he oversaw the first official investigation of the 9/11 attacks. It is hard to believe it has now been more than 13 years since that fateful day, but Senator CHAMBLISS has never lost sight of the continuing threat posed by radical Islamic terrorists and he has never stopped working to uphold bipartisan support for strong national security policies. He has been a consistent leader on important pieces of legislation such as the PATRIOT Act and on the detention facilities at Guantanamo Bay. He has also been a leader on the Armed Services Committee on the annual Defense authorization bill which we will be taking up later this week and on controversial but important topics such as the Foreign Intelligence Surveillance Act. Most recently on the campaign to destroy the Islamic State in Iraq and Syria, Senator CHAMBLISS again has been one of the leading voices helping us find our way to the right strategy and the right policy. In short, name any high-profile national security issue and there is a good chance SAXBY CHAMBLISS has been driving the debate and working to move the United States in the right direction. I know he is also especially proud of his efforts to improve current retirement policies for members of the National Guard and military Reserves.

Senator SAXBY CHAMBLISS comes from a State where agriculture is the single largest industry and he spent 6 years as chairman or ranking member of the Senate agriculture committee. He was one of the first Members of our class in 2002 to serve as a chairman of any standing committee, something we were all a little bit envious of, early on in his first term of office. But he has worked on several tough farm bills during the time he has been in Congress and he has been our go-to Member on all related issues.

In fact, Senator CHAMBLISS understands these issues almost better than anyone on both sides of the aisle, which is another way of saying he understands the challenges facing American farmers better than almost anyone here. That understanding allowed him to play a key role in reforming Federal crop insurance.

Folks down in Georgia have been justly appreciative of Senator CHAMBLISS's work on agriculture policy, and they also appreciate his efforts to accelerate the Savannah Harbor Expansion Project through a Federal-State partnership, which was officially signed back in October. It is an impressive list of accomplishments, and I know I speak for all of our Members on both sides of the aisle and staffers alike, when I say that SAXBY CHAMBLISS will be missed as much for his warmth and friendship as for his policy work.

As a diehard Atlanta Braves and Georgia Bulldogs fan, he is equally at ease discussing baseball, football, quail hunting or national security. He is unfailingly kind, thoughtful, and considerate to everyone with whom he works in this Chamber—whether Senator, staffer or casual visitor.

SAXBY is now preparing for his life's next great chapter, which he will spend with his wife Julianne, to whom he has been married for nearly half a century, their two children, and six grandchildren, which I know bring them a lot of joy.

I wish my good friend all the best in his retirement, and I wish the entire Chambliss family a never-ending supply of health and happiness.

MIKE JOHANNS

Next, I would like to turn to my colleague from Nebraska, the senior Senator MIKE JOHANNS. Even if MIKE JOHANNS had never been a Senator, he would have compiled an extraordinary career of public service. It started with a stint on the Lancaster County Board of Commissioners and continued with 2 years on the Lincoln City Council, followed by 8 years as mayor of Lincoln, NE.

In 1999 MIKE left the mayor's office and moved over to the Nebraska State Capitol, where he served for 6 years as Governor. He said one of his proudest gubernatorial accomplishments was enacting a mental health reform law that helped improve the lives of some of Nebraska's neediest and most vulnerable residents. That to me tells a lot about his character and sense of compassion.

Born and raised as a farm boy, MIKE was named America's 28th Secretary of Agriculture in 2005. Over the next 3 years, he held more than 50 separate forums on the farm bill—more than 50. Not surprisingly, he continued to work on agriculture-related issues when he joined the Senate. Indeed, he has been a true leader, fighting passionately to defend the rights and livelihood of farmers and ranchers everywhere—especially in Nebraska.

These are issues that are vitally important to millions and millions of Americans, including MIKE's constituents, but they are not the kind of issues that help land you prime time appearances on cable news. Luckily for us, MIKE doesn't care about media attention, but what he does care about is doing the right thing for his State and for our country.

He understands something that many of us too quickly forget—that taxes and regulations should be forced to pass a simple cost-benefit test. That is why MIKE worked so hard to block the national energy tax known as cap and trade, and that is why he has consistently demanded that the Environmental Protection Agency and other Federal agencies demonstrate how their proposed rules would affect American jobs and American workers.

It is also why he has so aggressively pushed to abolish the IRS 1099 reporting requirement in ObamaCare, which would have placed a costly new burden on America's small-business owners and indirectly on the jobs that they create. MIKE did more than anyone else to help highlight the problems with this requirement and to demand its repeal. Thanks in large part to his efforts, 81 Members of this Chamber voted to abolish it back in 2011.

There is an old cliche in politics that there are two types of politicians—the show horses and workhorses. MIKE has never sought the limelight, and has certainly done more than his fair share of the work. But he has done so in a very quiet and thoughtful manner. He is someone who has kept a low profile while working behind the scenes, building bipartisan consensus and being infallibly polite and gentlemanly in the process.

He is the type of Senator who is universally admired and respected by all of our colleagues. His accomplishments here in the Senate—I have just mentioned a few—have been manifold. Yet I am quite certain his proudest accomplishments are his family—his wife Stephanie, their two children, and five grandchildren. They have been generous enough to share MIKE with us for the past 6 years, and now it is time for MIKE to be with the people he cares about the most. We will miss him a whole lot, but he is moving on to perhaps the most rewarding chapter of his life.

MIKE, thanks for all you have done. Thanks for your service, your guidance, and most of all for your friendship.

TOM COBURN

I will close my remarks today on our retiring colleagues by paying tribute to Dr. TOM COBURN. He is someone we have all come to know and admire over 20 years as a relentless fighter for limited government and conservative values here in the Congress.

TOM can be a very charming guy, but I know he can also be a pain in our side when he is determined to make sure he gets a chance to get a vote on an important matter here in the Senate. I think he is comfortable in both of those roles. In fact, I know he is.

TOM COBURN is a man of strong principle, a man of great integrity, and, perhaps just as importantly, a man of remarkable humility. Our country has benefited greatly from the wisdom and leadership TOM has provided during his service in Congress—first in the House and then in the Senate. I have been in the Senate now for a little more than a decade, and during that time our colleague from Oklahoma has done more than anyone else in this Chamber to eliminate wasteful spending, expose fraud and abuse in the Federal budget, and get our entitlement programs on a sustainable path. TOM would be the first one to say that job has just begun, but he has certainly given it everything he has.

He has educated our Nation on the fiscal threat we live under and what it means for our children and grandchildren, and he has worked tirelessly to correct it.

He has done a remarkable job as the ranking member of the Homeland Security and Governmental Affairs Committee, as well as his service on the intelligence and banking committees.

Furthermore, TOM has been an unyielding force for protecting liberty and improving access to affordable health care by proposing positive patient-oriented alternatives, and for these reasons and many more I am grateful for his service.

But perhaps the thing he does not want to be remembered for—but that has made such a profound impression on many of us—is his courage and ability to deal with the fact that he is a three-time cancer survivor. Even last week, I know he was receiving treatment for this most recent flare up, but he will be back here today. He will be doing what he does best, and that is fighting for his principles and perhaps causing more than a little bit of turbulence in the process in this otherwise stayed Chamber.

I know I speak for this entire Chamber when I say it is an honor to serve with a man such as TOM COBURN. I know this to be true because Tom is well respected on both sides of the aisle.

In fact, when Time magazine named TOM one of the 100 most influential people in the world in 2013, a friend of TOM's and former Democratic Senator wrote:

> The people of Oklahoma are lucky to have someone like Tom representing them in Washington—someone who speaks his mind, sticks to his principles, and is committed to the people he was elected to serve.

The friend I am referring to who made those remarks is none other than our President, Barack Obama, when he served with TOM in the Senate. When the President said that, he found out that TOM received a number of angry letters from constituents that said he and President Obama looked a little too chummy together, to which TOM replied—and this is classic TOM COBURN: ''What better way to influence someone than to love them.''

This serves as a testament to his character. You see, TOM has an extraordinary ability not just to win the respect of those who agree with him but the admiration and respect of those who disagree with him as well. That is a rare thing in politics and especially in today's society.

Nevertheless, TOM has spent his career promoting what is good for the country while never wavering from his personal conversations. Along the way he has racked up a lengthy list of accomplishments that protect taxpayers and increase transparency in government.

TOM's résumé proves he has been a leader not only in Congress but in every aspect of his life. For example, I think many of our colleagues don't realize he had a distinguished career in

business and medicine before he got here. TOM served as president of the school of business student council while getting his accounting degree at Oklahoma State University. Later he went back to law school—excuse me, that was a Freudian slip he wouldn't be happy with. Later he went back to medical school, where he trained to become a physician and served as president of his class at the University of Oklahoma medical school.

TOM has a lot to be proud of about his service in the House and in the Senate. But, again, like all of us, he is most proud of his family. He has been married to the former Miss Oklahoma for nearly 50 years, and he and Carolyn have three daughters and seven grandchildren. Meanwhile, in his career as a physician, he has delivered more than 4,000 babies, which perhaps explains the vote totals in some of his elections, because I am sure many of them have grown up to vote for him.

The things that I mentioned are only a few of TOM COBURN's long list of notable achievements. Knowing TOM and his work ethic, I have no doubt he will be giving 110 percent right up until the last minute he serves in the 113th Congress on January 3, 2015.

I wish TOM and his family the very best as they enter the next season of life.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

TRIBUTES TO DEPARTING SENATORS

MARK PRYOR

Mr. NELSON. Mr. President, in just a few moments one of my best friends in the Senate is going to give his farewell address. Senator MARK PRYOR of Arkansas, a former State legislator, former attorney general, and two-term Senator, was caught in this tidal wave in the last election that caused those of us in the Democratic Party in the former old Confederacy, now known as the South—and of course parts of the South these days don't look anything like the old Confederacy. As a matter of fact, my State of Florida is a good example. It is a compendium of people from all over the United States because folks from all over the country have moved to Florida, and thus it is a microcosm of the country.

Arkansas is a State where the Pryor family has served with great distinction and enormous public service for decades. Although it temporarily comes to an end with Senator PRYOR leaving the Congress in January, that is not the end of his public service. His mom and dad served so ably for years and years in the Governor's mansion, as well as the Senate, serving the people of this country and Arkansas. MARK and his family served our country so ably over the years and that public service will continue.

JAY ROCKEFELLER

I reflect back just a few days ago when Senator ROCKEFELLER gave his farewell speech. He is another extraordinary public servant who has demonstrated selfless public service. He is a Senator who, because of his family heritage, could have done anything he wanted, but he chose—after a life of privilege, growing up as a young man, and after having spent time abroad—to go to one of the poorest States in the Union. He first was a volunteer to the poor and later developed a distinguished record of public service that included secretary of state, Governor, and now a five-term Senator. I will speak later about other colleagues who are leaving.

These are just two examples. Senator ROCKEFELLER and my seatmate Senator PRYOR are extraordinary public servants who when you talked to them and when you looked in their eyes, if they gave you their word, that was it. You didn't have to worry about it.

Some say it is a throwback to the old days. The old days is a throwback that we ought to go to, when if a Senator gave you his or her word, that was it, when there was civility among Senators, when there was not an avalanche of outside money that came in to try to define you with statements that were not true.

We see what has happened to our politics in America today with exceptional millions of dollars coming into a State, buying up television, to create a statement in 27 seconds often that is not true and that fact checkers say is not true, factcheck.org and Politifact.

Yet when we talk to the TV stations and the broadcast stations and show them the fact checkers, they will still run the TV ads. But rather than talk about the mistakes that were made with the Citizens United Supreme Court case and missing by one vote in this Chamber several years ago—we had 59 votes and we needed 60 to cut off debate so we could get to the DISCLOSE Act, a DISCLOSE Act that did not counter the Supreme Court decision, it just said if you are going to spend all this money, you are going to have to say who it is that is doing the contribution.

Of course, if we had been able to pass that, then all of this money would not be flowing because it is hiding behind this masquerade of the Committee for Good Government or the ABC committee for whatever. So they masquerade behind that veil to spend all of that money in order—for their ultimate purposes.

It caught a number of our people. Just look at what happened in the runoff election this last Saturday. Look at the imbalance of the spending on TV that occurred since the general election and the runoff in the State of Louisiana.

I will speak about Senator LANDRIEU, Senator UDALL, Senator BEGICH, and Senator KAY HAGAN later.

I wanted particularly to talk about Senator ROCKEFELLER, our chairman of the commerce committee, and Senator PRYOR, one of the finest public servants I have ever had a chance to serve with.

''ORION'' SPACECRAFT

Mr. NELSON. I want to speak about a very uplifting topic in more ways than one. Friday morning I was at the Cape. We call it the Cape. It is technically known as the Kennedy Space Center. America is going to Mars. The first test flight, the spacecraft *Orion*, put upon another rocket—in this case, a heavy-lift rocket called the Delta IV—twice orbited around the Earth. On that second orbit it was boosted up way beyond low-Earth orbit to 3,600 miles, and then with a ballistic reentry simulating 80 percent of the forces, the stresses on the spacecraft, the Gs, as well as the heat shield heating up to 4,000 degrees Fahrenheit in a spacecraft totally instrumented to check out the integrity of the spacecraft and the effectiveness of the heat shield as part of it—an ablative heat shield that burns off upon reentry—and it was a fantastic success.

I talked about this last week ahead of time just to give folks an idea of how large this is. The *Apollo* spacecraft was 12 feet in diameter. It looked like a similar kind of shape, a capsule. That was over four decades ago, 12 feet. *Orion* is 16½ feet and totally new technology, a new heat shield and up-to-date instrumentation that will carry four astronauts on our goal of our journey to the planet Mars in the decade of the 2030s.

This is what I wanted to share. Friday night after the launch with the extensive coverage that the news media gave, I was at a totally unrelated charity event for a children's hospital. I had people coming up to me and saying we didn't know that we had a space program. It is simply because they associated the shutdown of the space shuttle with the last flight of 135 flights—they associated that with the shutdown of the space program in the last flight of 2011 of the space shuttle.

They now see what has been happening behind the scenes all along, where indeed we are in a dual track in America's manned space program, the one track going to Mars way beyond low-Earth orbit where we have been for the last 40-some years. This is a low earth orbit that services the International Space Station where 6 humans are right now, about 250 miles above the Earth doing research in the program of going out and exploring the heavens. The second track of the dual track is, in fact, building American rockets, which is being done in a commercially viable way to go to and from

the space station as they are right now with cargo, but making those spacecraft safe with the escape systems for humans. That is the dual track. Therefore, as a result, we end up with NASA exploring the heavens again. We are back in the human space business.

The great Senator from the State of Arkansas is here. He does not know I have just spoken about him. It is going to be my privilege to listen to his remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

FAREWELL TO THE SENATE

Mr. PRYOR. Mr. President, I have to begin today by saying one thing, that is, to God be the glory. I will finish with that too. But first let me say a few words.

Since election night I have had many Arkansans come up to me and thank me for my service. I appreciate that. But I need to thank them for allowing me to do this for the last 12 years. It sounds like a cliche, but it is not. Serving in the Senate has been the greatest honor of my life. It truly has been. I have loved it. I have always done it with a cheerful heart. When I go back to my beloved Arkansas, I have to thank the people of Arkansas for allowing me to work for you. But I must confess I will miss waking up every morning and thinking, how can I make a difference for Arkansas and for America today? Those years were momentous in so many ways, for our country and for our world. I had a front-row seat to making history, and I hope I made a little bit of it myself.

On a personal level, those years were filled with family and friends, a remarkable staff, my Senate colleagues, and a whole series of rich, once-in-a-lifetime experiences.

The Lord has given me two wonderful children who are now in college. I know many of you all saw them for the first time when they were in elementary school. I am very proud, and their mother is very proud, of Adams and Porter Pryor. I am very excited about their future.

God has also brought an old sweetheart back into my life, Joi. She and I attended the sixth and seventh grades together. So when I say God has brought joy in my life, I mean it, literally.

Many of you know my parents. Of course, I would be nothing without them. Dave and Barbara Pryor have touched so many lives. They continue to do so.

For the last 8 years, I have lived with my brother David and Judith and Hampton Pryor in Washington, when I am here in Washington. I will always be grateful for their love and hospitality.

Scott and Diane and Devin Pryor in New York have been a great inspiration to me as well.

My staff is simply awesome. I love them all and they are all part of my family too. There are too many to mention, but words such as talent, commitment, public service, effectiveness, all come to mind whenever their names come up. I have said this many times about my staff, and they keep telling me not to say it, but I am going to say it one last time: They do 99 percent of the work and I get 99 percent of the credit. So I want to acknowledge them for a job well done. They should all hold their heads high for the difference they have made. I ask unanimous consent that a list of their names be printed in the RECORD.

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

Lisa Ackerman, Adrianna Alley, Ronnie Anderson, Suzanne Bartolomei, Tim Bass, Frank Bateman, Jason Bockenstedt, Patrice Bolling, Cathy Bozynski, Zac Bradley, Becca Bradley, Ruth Bradley, Rachel Brown, Sonya Bryant, LaRonda Bryles, Tamara Buchholz, Britton Burnett, Margery Buzbee, Macio Cameron, Lauren Carter, Rachel Colson, Kim Cooper, Paul Cox, Laura Culver, Emily Culver, Olivia Dedner, Shiloh Dillon, Martine Downs, Wes Duncan, Michael Fangue, William Feland, Greg Feldman, Jeff Fitch, Sherry Flippo, Bradford Foley, Derrick Freeman, Conor Frickel, Bess Ginty, Terri Glaze, Andrew Grobmyer.

Russell Hall, Beth Hallmark, Julie Hamilton, Megan Hargraves, Ruth Hargraves, Jacob Hargraves, Justin Harper, Ehren Hartz, Tonya Hass, Mary Grace Hathaway, Whitney Haynes, Brigit Helgen, Larry Henderson, Lauren Henry-Cowles, Hannah Herdlinger, Carrie Hern, Tate Heuer, Gene Higginbotham, Brandon Hirsch, Emily Hoard, Sarah Holland, Greg Holyfield, Vincent Insalaco, Susie James, Mark Johnston, Louis Keller, Hank Kilgore, Caroline Kobek Pezzarossi, Shannon Lane, Stephen Lehrman, Autumn Lewis, Sam Losow, Shannon Lovejoy, Stan Luker, Scott Macconomy, Amanda Manatt-Story, Elizabeth Manney, Randy Massanelli, Eric May, Madra McAdoo, Nathan McCarroll, Lauren McClain.

Marietta McClure, Audrey McFarland, Valerie McNeese, Rodell Mollineau, Melissa Moody, Reed Moody, Brook Mumford, Callie Neel, Eric Nelson, Wayne Palmer, Allison Pearson, Mia Petrini, Brad Phelan, Jim Pitcock, Marisa Pryor, Walter Pryor, Hayne Rainey, Candace Randle, Kris Raper, Robbie Reed, Mary Renick, Erin Ridgeway, Jenny Robertson, Kirk Robertson, Bob Russell, Paul Sanders, Amy Schlesing, Kymara Seals, Kristin Sharp, Ashley Shelton, Ashely Simmons, Jason Smedley, Haley Smoot, Kate Melcher, Lucy Speed, Brandon Spicher, Jeffrey Stein, Arthur Stokenbury, Michelle Strikowsky, Kelvin Stroud, Kelsey Stroud, Richard Swan, Frances Tate, Michael Teague, Jennifer Thompson, Courtney Van Buren, Joan Vehik, Crystal Waitekus, Brad Watt, David West, Preston Weyland, Libby Whitbeck, Deke Whitbeck, Marco White, Amanda White, Quinten Whiteside, Elizabeth Wilson, Andy York, Mary Claire York, Julie Zelnick.

Mr. PRYOR. My colleagues. What can I say about my colleagues that has not been said before? Or maybe I could say, what can I say about my colleagues that they have not said about themselves before?

You know, politics is about people; not just the people out there, but the people in here, the people the people elect. I have served with some greats and some giants. Robert C. Byrd, Ted Kennedy, Daniel Inouye, Ted Stevens are at the top of the list. But the truth is that every single Senator I have served with is a giant.

I have served with about 175 other Senators, so there are too many to single out. But I have made lifelong friendships here. We have done a lot of good things together. This is what I will remember: all the personalities, all the times when we came together to do the right thing, and all the successes we had together.

While in the Senate, I had more than 70 initiatives signed into law. Almost all of those have been bipartisan. I ask unanimous consent to have that list printed in the RECORD.

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

HIGHLIGHTS OF SENATE ACCOMPLISHMENTS

Opened a New Opportunity for the Forestry Industry. Allowed domestic forestry products to be recognized by USDA as biobased, leveling the playing field with imports and ensuring such products can be procured by the federal government and sold as a greener alternative to consumers, P.L. 113–179

Funded Critical Agriculture Needs as Chairman of the Appropriations Subcommittee on Agriculture. Crafted and passed $20 billion annual spending measure that allocates funds for agriculture programs, P.L. 113–76

Ensured Veterans Could Collect Retirement Benefits without Gimmicks. Restored the full retirement pay promised to disabled veterans and their survivors, P.L. 113–76

Honored Former Senator Dale Bumpers for his Conservation Efforts. Renamed the White River National Wildlife Refuge to the Senator Dale Bumpers White River National Wildlife Refuge, P.L. 113–76

Ensured Patients Have Access to Lifesaving Medical Treatment. Allowed the FDA to access industry-paid user fees that had been blocked by sequestration, P.L. 113–76

Ensured Disabled Veterans are Treated with Dignity During Airport Security. Ensured the dignity of wounded and severely disabled service members and veterans during airport security screenings, P.L. 113–27

Protected Food Safety Inspections from Sequestration. Ensured USDA food inspectors were not furloughed, protecting 500,000 industry jobs at meat, poultry, and egg production facilities, P.L. 113–6

Sought Greater Employment Opportunities for Veterans. Allowed states to accept military training as fulfilling credentials or certifications for special skills required for certain civilian jobs, P.L. 112–239

Protected Consumers from International Scams. Extended the FTC's ability to coordinate investigation efforts with foreign counterparts and obtain monetary consumer redress in cases involving Internet fraud and deception, P.L. 112–203

Expanded the Safety Mission at the National Center for Toxicological Research. Allows the FDA to focus on the health and safety implications of nanomaterials, P.L. 112–144, P.L. 112–55

Kept Fatigued Truck Drivers Off the Road with Electronic Logging Devices. Required truckers to use electronic logging devices to more accurately monitor hours on the job, P.L. 112–141

Prevented Dangerous Drivers from Driving Big Rigs with National Drug Database. Established a national database of drug testing information for commercial drivers to ensure they can't bypass the law, P.L. 112–141

Stepped Up Vehicle Safety Following Numerous Recalls. Updated safety and compliance standards, and increased resources at DOT to conduct additional research and address emerging technologies, P.L. 112–141

Reduced Distracted Driving, Established a grant program for states to enact and enforce laws discouraging distracted driving, P.L. 112–141

Provided Flexibility in Pension Plan Payments. Allows certain companies to invest in growth opportunities instead of setting aside millions to cover certain pension payments, P.L. 112–141

Protected Homeowners from Buying Unnecessary Flood Insurance. Defeated a mandate that would force families and businesses behind certified levees, dams and other protection to purchase unnecessary flood insurance, P.L. 112–141

Stabilized Arkansas Funding for Rural Schools Program. Authorized USDA to allocate federal dollars for road projects in the state despite a missed deadline, P.L. 112–141

Expanded Possibilities at the U.S. Marshals Museum. Enabled the sale of coins to raise $5 million to enhance exhibits at the U.S. Marshals Museum, P.L. 112–104

Ensured Military Families Receive Death Benefits. Provided death benefits to a family should a Reservist die at home during training, P.L. 112–81

Facilitated Camp Robinson Land Exchanges to Improve Training and Safety. Twice waived a statute to allow the National Guard to gain land more conducive for training and for an aviation support facility, P.L. 112–81, P.L. 109–13

Enabled First Responders to Help Neighboring States During a Disaster. Secured $2 million for a program enabling first responders to help their neighbors in times of emergency, P.L. 112–74

Fixed FEMA'S Errors in Disaster Assistance Repayment Process. Used legislative privileges to stop FEMA from recouping disaster aid from an elderly couple who did nothing wrong, and granted FEMA the clear authority to waive debt in cases of FEMA error, P.L. 112–74

Leveraged Funds for Economic Development in the Delta. Increased the Delta Regional Authority's budget by nearly $2 million, P.L. 112–74

Expanded Environmentally-Friendly Options for Military Construction Projects. Encouraged DoD to recognize all American National Standards Institute approved building ratings and certification systems, P.L. 112–74

Provided Community Access to Health Care. Provided HHS with the authority to issue a waiver and preserve funding for Arkansas Health Education Centers, P.L. 112–74, P.L. 112–10

Promoted Exports Abroad. Required the Commerce Department to develop an outreach plan to strengthen export promotion entities such as the Arkansas World Trade Center, P.L. 112–55

Expanded Science Parks. Enables the government to make loan guarantees and grants to create or expand science parks, P.L. 112–55

Protected Taxpayer Dollars from Prisoner Fraud. Required federal and state prison systems to share information on inmates with the IRS. This step allows the IRS to cross reference tax returns with the list of inmates to determine if a legitimate return is filed, before tax refunds are paid, P.L. 112–41

Expanded Environmentally-Friendly Options for Military Construction Projects. Encouraged DoD to recognize all American National Standards Institute approved building ratings and certification systems, S. Rept. 112–29

Modified Product Safety Law to Reflect Lead Limit Capabilities. Allows flexibility for certain manufacturers and charities in complying with new lead limits, P.L. 112–28

Weeded Out Border Corruption. Required applicants for law enforcement positions within U.S. Customs and Border Protection to receive a polygraph exam before they are hired, P.L. 111–376

Spurred Innovation in Technology through Monetary Prizes. Enables federal agencies to hold competitions with monetary prizes in order to encourage innovation in research and technology, P.L. 111–358

Improved Investments to Advance U.S. Manufacturing. Required the National Science and Technology Council to identify priorities for R&D programs and address challenges in those programs, P.L. 111–358

Incorporated Entrepreneurship into STEM Activities. Requires lessons in innovation and entrepreneurship be taught as part of Science, Technology, Engineering and Math (STEM) education activities, P.L. 111–358

Improved Technology Access for Blind and Deaf. Ensures all Americans are able to fully utilize online devices, regardless of disability, P.L. 111–260

Prevented Excessive Financial Regulation of Non-Banks. Ensured banks and financial companies receive a higher threshold of review by the Federal Reserve, but that companies who were not part of the fiscal crisis, like Home Depot, do not have to undergo additional supervision, P.L. 111–203

Empowered Consumers to Make Informed Choices When Selecting Health Plans. Ensured consumers have an easy-to-use Internet tool to select the best plan on the health care exchange, P.L. 111–148

Retired Certain C–130Es. Retired outdated C–130Es and saved taxpayers millions of dollars in maintenance and storage costs, P.L. 111–84

Streamlined DoD Research Requirements. Eliminated a duplicative report to Congress on DoD development programs to allow the Pentagon to spend more time on research and less time on paperwork, P.L. 111–84

Blocked Unreasonable Regulation to End Pocketknife Sales. Prevented Customs and Border Patrol from banning certain pocket knives, bringing relief to consumers and the 20,000 employees that could have been impacted, P.L. 111–83

Preserved President Clinton's Birthplace for Future Generations. Designated the former president's home as a National Historic Site and unit of the National Park System, P.L. 111–11

Helped Parents Protect Children from Inappropriate Content on the Internet. Required the FCC to fulfill its obligation to continuously review and implement blocking technology as it is developed, P.L. 110–452

Fixed Housing Contract Problems for Military Families. Requires DoD to investigate and prevent base housing problems, P.L. 110–417

Fought for Fairness for Military Pilots. Directed the Air Force and Navy to review pilot assignments to non-flying duties, and the effect of these assignments have on these officers' eligibility for flight pay, P.L. 110–417

Ensured Farmers Access to Ammonium Nitrate Fertilizer. Required DHS to ensure that any person who produces or sells ammonium nitrate (AN) registers their facility and maintains records of sales. Buyers are checked against a terrorist screening database, which keeps AN out of the wrong hands without placing an undue burden on farmers, P.L. 110–329

Protected Consumers from Toxic Toys and Other Dangerous Products. Overhauled the Consumer Product Safety Commission and established strong product safety safeguards that cut fatalities in half and dramatically reduced toy-related recalls, P.L. 110–314

Fought for Fairness in the Tax Code for Military Families. Enabled men and women in uniform to collect combat pay and other tax benefits, such as the Child Tax Credit and the Earned Income Tax Credit, P.L. 110–245, P.L. 108–311

Provided Relief to Military Families Affected by Landlord Foreclosures. Allowed the military to move household goods for members of the Armed Forces who are forced to relocate when the housing they are renting goes into foreclosure, P.L. 110–289

Advanced Investment in Cellulosic Biofuel. Required USDA to conduct a nationwide analysis of where the greatest potential for development of cellulosic biofuel exists, P.L. 110–234

Updated Regulations for Private-Public Partnerships Following Disrupted Rice Exports. Improves quality control standards for university and private sector research, P.L. 110–234

Ensured Soldiers Receive Fair Time for Rest and Recuperation. Offered additional leave for troops serving extended tours, P.L. 110–181

Kept the Do Not Call List Free. Permanently kept the Do Not Call program free, simple and effective, P.L. 110–188

Improved Medical Care for Wounded Warriors. Increased personnel and resources available to treat wounded warriors, with an emphasis on training health care workers on identifying and treating PTSD and TBI, P.L. 110–181

Made Swimming Pools Safer for Children. Requires drain covers to meet anti-entrapment safety standards, P.L. 110–140

Improved Fuel Economy Standards. Negotiated an agreement that overcame 30 years of deadlock on fuel economy standards, P.L. 110–140

Maintained Training for First Responders. Secured funding for the Domestic Preparedness Equipment Technical Assistance Program, a nationwide training program for first responders, P.L. 110–53, P.L. 109–295

Tapped an Arkansas Center to Head Rural Transportation Security Research. Designated the Mack-Blackwell Rural Transportation Center at the University of Arkansas as a ''National Center of Excellence for Transportation Security,'' P.L. 110–53

Expanded Online Education Opportunities for Minorities. Established a pilot program for Historically Black Colleges and Universities to develop online courses, P.L. 110–16

Improved Energy Efficiency in Military Housing. Directed DoD to consider products that meet Energy Star specifications in order to reduce the military's energy bill, P.L. 109–364

Cracked Down on Foreign Truck Drivers Entering the U.S. Illegally. Directed DOT and DHS to comply with measures that eliminate fraud in the Commercial Drivers License process and verify citizenship, P.L. 109–347

Put the FEMA Mobile Homes to Good Use. Ensured that mobile homes purchased by FEMA in the aftermath of Hurricane Katrina went to serve the public good, P.L. 109–295

Removed Unnecessary Obstacles for a Local Manufacturing Company. Eliminated a 4.5 percent tariff on Crotonaldehyde for Eastman Chemical Corporation, P.L. 109–280

Kept Local Manufacturer Globally Competitive. Eliminated a 4.5% tariff on LCD display panels in order to reduce production costs for Sanyo, P.L. 109–280

Funded the Completion of the Little Rock Central High School Museum and Visitors Center. Secured more than $5 million to complete the Center, P.L. 109–146, P.L. 109–54

Identified Gasoline Price Gouging. Requires the FTC to determine if and where gasoline price gouging occurs in the supply chain, P.L. 109–108

Prioritized Cleburne County for Water Infrastructure Assistance. Encouraged the Agriculture Secretary to prioritize Cleburne

County, Arkansas for Rural Utilities Service water and waste water loans and grants, P.L. 109–97

Improved Medical Care to Soldiers. Increased funding for mobile medical shelter prototypes, and later urged FEMA to use up to $10 million to acquire a mobile medical system for evaluation, P.L. 109–90, P.L. 108–287

Prevented Moving Companies from Holding Goods Hostage. Requires movers to release goods if a customer pays the estimate, P.L. 109–59

Promoted the Commercialization of Biodiesel and Hythane. Requires DOE, in conjunction with universities throughout the country, to prepare reports that would evaluate how to best deploy biodiesel and hythane and create an infrastructure to support their potential, P.L. 109–58

Protected Soybean Industry. Directed the USDA to initiate a stronger response to combat Asian Soybean Rust, which resulted in a $1.2 million for the effort, P.L. 109–13

Established Tracking System for Wounded Service Members. Ensures families receive timely information when loved ones are wounded, P.L. 108–375

Mr. PRYOR. I do not do very many press conferences, as you all know, and I have always been first in line to work with any and all of my colleagues to try to get things done. The Senate is a special place. On a personal level, we talk about the Senate family. It is a family. When people mention the Senate to me, I think of other Senators, of course, and I think of legislation, but usually the first thing that comes to mind is the people who work here: the Parliamentarians, the clerks, the doormen, the Capitol Police. I am appreciative of the other Senators' staffs and the committee staffs, and even to my House colleagues—most of them, anyway. No, even to my House colleagues.

But I have always been mindful of the people who really make this place run: the janitorial staff, the folks in the restaurants, the maintenance guys, the painters, the carpenters, the tech people. The list goes on and on. All of them contribute to make the Senate what it is. We work here together. We go through life and budget cuts and changing political winds together. There is a bond we all feel because we all have been in the Senate together.

Please give me just a few moments of your time to make this next point. As great an institution as the Senate is, the Senate is broken. The American people know it. In fact, this is an area where the American people are way ahead of Washington. The people around our Nation look at Washington and they shake their heads. We sometimes cannot see the forest for the trees because we get bogged down in personalities or perceived wrongs or whatever the case may be.

This is not a Barack Obama problem, this is not a George Bush problem. In fact, all recent Presidents have gone through periods of deep unpopularity. This is an ''all of us'' problem. The political environment today grinds the trust and confidence out of our system. Let me tell you, that is not good for anybody.

The Republicans have a great opportunity in 2015 and 2016. They convinced the voters they are the party that can govern. Now it is time for them to turn off the rhetoric and turn on the governing. In the Senate, if the new Republican majority will run the Senate the way they have said it should be run, then this is a very good start. If we can replay the tape over the last 2 years, we will hear Republican Senators time and again clamor for an open amendment process and for regular order. They were caustic when the Democratic majority changed the rules—a change, by the way which I did not support. So let's change the rules back to what they were. Let's govern the way we know we ought to.

Democrats—this is an important message—Democrats should help the Republicans govern. The rules are not the problem around here. We are the problem, all 100 of us. Hyperpartisanship has gotten the best of us. When things get too partisan, good judgment and common sense go out the window. The biggest and most serious problem facing our Nation today is the dysfunction in our political system within Washington. America has incredible potential, but we cannot reach it unless Washington starts to work again for all of us. If we are to continue to be the greatest Nation on Earth, we must work together. That is, after all, the American way. That is our history. This country was created, this country was forged. The great melting pot is just that, a melting pot. E pluribus unum actually means something: Out of many, one. We have many differing viewpoints, many philosophies, many backgrounds, many priorities. So we have the pluribus part down pat. That is not the problem. No, the challenge comes with the unum.

From my perspective, I see the ultimate question as a question of loyalty. Who are we loyal to? I just mentioned that we have many different viewpoints, philosophies, and agendas. But if we have different loyalties, then we are a divided nation. That will only lead to bad things. When each of us takes our oath of office, we swear allegiance to the Constitution, not a party, nor a President, nor an interest group. We do not swear allegiance to those who pay for our campaigns or to a certain agenda. We need to hash out our differences in the Senate in committee and on the floor, then hash them out with the House, but at the end of the day, produce legislation. That is the essence of the legislative branch. We also must exert our authority as article I, the first branch of government.

We have checks and balances. We cannot provide the check or the balance if we are not functioning. Making this place function is part of our oath of office. One thing we should all remember: The Senate is bigger than we are. We do not have to look farther than our own desks to see that. Look inside your desk and you see the names written in the drawer. In my desk I see Senator Gronna, elected in 1911 from North Dakota. Names such as Everett Dirksen and George Mitchell, David Pryor, Joe Lieberman and CARL LEVIN—these men molded history. These are Senators who shaped world events. These Senators were good stewards of what our Founding Fathers created for us. We should be too, each and every one of us.

The Father of our Country had a lot to say about partisanship. In his Farewell Address, he warns us of the ''continual mischiefs'' and ''ill-founded jealousies'' caused by parties. We should take heed. It is the greatest mistake of our time to allow these prophesied mischiefs and jealousies to divide us and damage the American political character.

Abraham Lincoln once famously said, ''A house divided against itself cannot stand.'' That is so true. His voice is echoing down through the halls of history to us. If we are divided, we cannot stand. We will not stand a chance in the future. Let Lincoln's words be a clarion call to all Members of Congress. That includes all Senators.

Look at what is happening to us. The Congress is getting more liberal and more conservative. Look at the wild swings in regulations that have occurred from President Clinton to President Bush to President Obama. No wonder we are seeing a sluggish economic recovery.

Washington is creating uncertainty and instability. The private sector cannot make investments or take risks with confidence. It should be the opposite. The Federal Government should be fostering economic growth. This country needs Washington to function. That starts in this Chamber.

One thing I like to say in meetings is this: ''Don't just bring me the problem, bring me the solution.'' So I have identified a big problem here this afternoon. It is fair for you to ask about the solution. Regardless of your political philosophy, bipartisanship is the answer. Let's take off the red jersey and take off the blue jersey and let us all put on the red, white, and blue jersey. Our Nation's challenges, large and small, require us to get on the same team; that is team USA.

Remember, I mentioned Abraham Lincoln saying that, ''A house divided against itself cannot stand.'' Well, he was actually quoting an itinerant Jewish rabbi who said that about 2,000 years ago. Jesus was right then and He is right now. A house divided against itself cannot stand. Good government is good politics. Although there are short-term gains to be had by political division, the long-term consequences are bad for the country. It is time for the giants of the Senate to emerge. Jesus has offered us some advice. Probably the best practical advice of wisdom He left us here in the Congress is called the Golden Rule: Do unto others as you would have them do unto you. If we applied that around here, about

three-quarters of our problems would vanish. Poof.

Is that impossible? Not at all. Most of us claim to have a Judeo-Christian faith, so why not apply what we know to be true? The first step in this process is another one of Jesus's admonitions—forgive one another.

I know each Senator, from time to time, feels betrayed, let down, slighted, or somehow wronged. We need to forgive one another and let the healing begin.

I am not trying to combine religion and politics, but I think most everyone in the world agrees that Jesus is one of the greatest moral teachers of all time. He has a lot to say about how we should treat one another.

There are and there will be 100 Senators. Healing the Senate and getting it to function as it did for two centuries is up to each individual Senator. That means doing the right thing but also persuading others to do the right thing. It is not about us, it is about our country, our children, and our grandchildren. It is about being good stewards.

In closing, let me say I loved my time with you. I will always remember you with fondness and I will always be cheering for you. I expect great things from you because I know you are capable of doing great things. God bless the Senate and the work we do, and God bless the United States of America.

I yield the floor.

(Applause, Senators rising.)

Mr. NELSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are.

Ms. COLLINS. I ask unanimous consent that I be permitted to proceed for not longer than 5 minutes.

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

TRIBUTES TO MARK PRYOR

Ms. COLLINS. Mr. President, I rise to give a tribute to Senator PRYOR, whose remarks we have just heard.

Through nearly a quarter of a century of dedicated public service, Senator MARK PRYOR has established a strong reputation as the voice of reason.

From an Arkansas legislator and attorney general to a U.S. Senator, Senator PRYOR has always put the people first. To me, he has been an admired colleague, a great collaborator, and a treasured friend. Working with Senator PRYOR during his service in the Senate, I know that he acquired his voice of reason the old-fashioned way: He is such a good listener.

All of us are pretty good talkers, or we wouldn't be here, but Senator PRYOR has the distinction of being a good listener. Whether debating colleagues on the Senate floor or interacting with his guests on his Pryor-Side Chats back home, he has consistently demonstrated that he is one of those special individuals who can disagree without ever being disagreeable. He always sticks to his principles, yet he respects the principles of those with whom he disagrees. He is well informed but always open to new information.

It has been a particular pleasure to work with Senator PRYOR on the homeland security committee for many years and on the Committee on Appropriations. His work ethic, his attention to detail, his willingness, once again, to listen to alternative views have been great assets in addressing the challenges we face in our country.

He has been a diligent fiscal watchdog for the Nation's taxpayers. To me, Senator PRYOR's approach to public service is best defined by the crucial role he played in ending the government shutdown in the fall of 2013 and as a member of the Gang of 14 in 2005. In each case he worked closely with me and with other Members to end a crisis and to achieve a responsible, commonsense solution. In each case he listened and he led.

As a charter member of our Common Sense Coalition last year, Senator PRYOR stepped forward to restore both government operations and help to restore some modicum of citizen confidence in our Senate, in our government.

These certainly were not the only times that Senator PRYOR's bipartisan approach and concern for the well-being of Americans had been evident. In 2007, after a large number of recalls following injuries and deaths that caused parents throughout America to be concerned about the safety of their children's toys—especially those manufactured overseas—he once again stepped forward to lead. After an extensive investigation in the Homeland Security and Governmental Affairs Committee, Senator PRYOR worked with those of us on the Republican side on a bill to strengthen the Consumer Product Safety Commission so that we can now better detect and counter threats to our children's health before these threats even reach the store shelves, and eventually homes, schools, and daycare centers.

From restoring trust in government to protecting our children, Senator PRYOR has proven over and over again that bipartisanship works. It is so significant that his message to us today is that the dysfunction and hyperpartisanship that have characterized the Senate cannot stand.

That is a wonderful parting message, and it is typical of Senator PRYOR that rather than talking about all of his accomplishments, he instead is beseeching the Senate to work together in the interests of all Americans—whether we are Democrats, Republicans, Independents, Greens, or not affiliated with any party at all.

The 2014 election did not produce the result Senator PRYOR had hoped for, but it did reveal another aspect of his extraordinary character. His message to the people of Arkansas and to the new Senator-elect on election night was genuine and it was gracious. To the people of Arkansas, he simply expressed his sincere gratitude for the opportunity to serve. But may these words, spoken that evening to us in the Chamber, which he echoed today, be his legacy. He said that night:

> The biggest and most serious problem we are facing in this Nation today is the dysfunction of our political system in Washington. We have incredible potential, but we won't reach it unless Washington starts to work again for all of us.

MARK PRYOR has been an extraordinary individual who always did what he believed was right. He has contributed enormously to our country and served his State well.

I commend him for his service and I thank him for his commitment, his integrity, and, most of us all, for his friendship.

Thank you, MARK.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, the great Cesar Chavez once said: ''If you really want to make a friend, go to someone's house and eat with him . . . the people who give you their food give you their heart.''

That is true. Sometimes they give you more than that. Sometimes they give you an adventure in eating that you will never forget.

That is what happened to me when, in January, I was invited by MARK PRYOR to be his guest at a legendary Arkansas political event. I am talking about the historic, well-known, annual Gillett, AR, coon supper.

Never heard of the Gillet coon supper in Arkansas? It is to Arkansas what TOM HARKIN's steak fry is to Iowa, only it is nonpartisan, it draws about 1,200, and unfortunately they don't serve steak.

Coon is raccoon served in large buckets. Folks just reach inside and pull out a chunk of coon, as they say in Gillett.

I was there that night with MARK PRYOR. I wanted to make sure I had my best manners as a visiting guest. I was certainly appreciative of the invitation to a packed room with the Governor and every walking politician in Arkansas. Bill Clinton had been there over and over again in his terms as Governor. He never missed that supper, and we weren't about to miss it that evening.

I watched as they put these bowls of coon and other meats on the table, and I noticed something interesting. All of the visitors like myself had bowls of coon put in front of them. All the folks

from Arkansas were eating out of the beef platter. It struck me that perhaps this was a delicacy they were saving just for guests. We asked for advice from MARK PRYOR about the proper selection of the cooked coon, and he said: Get one with a big bone because they have the least amount of meat on them.

So we followed his advice, nibbled at the corners, smiled, and said what a great dinner it was. We looked around and saw that only a handful of the local people from Arkansas were actually eating the delicacy of the evening, including one old fellow whom I went up to afterwards to introduce myself to who was wearing a real coonskin cap. He told me he shot the raccoon and this cap had been in his family for a long time. He passed it on to his daughter first, of course, and then to his grandson.

Mark Twain, another Mark, it turns out, loved roasted raccoon as well, but he always kept an open mind when it came to the issues of the day, including the issue of the afterlife.

Mark Twain once said: ''I don't like to commit myself about heaven and hell—you see, I have friends in both places.'' One reason MARK PRYOR has been such a good Senator is that he has friends on both sides of the aisle. We just heard this warm tribute to MARK PRYOR from my friend SUSAN COLLINS of Maine, and I am sure others will join the chorus on both sides.

MARK PRYOR is a man of deep faith who takes seriously the admonition from the book of the prophet Isaiah: ''Come now, let us reason together.''

Like KAY HAGAN and MARK UDALL in our caucus, MARK PRYOR has politics and public service in his bloodstream. MARK LUNSFORD PRYOR is the fifth generation of Pryors to serve in politics in his State. The first three generations served as sheriffs.

MARK PRYOR served 4 years in the Arkansas House of Representatives and 4 years as Arkansas attorney general. In 2002, the people of Arkansas elected him to the Senate, the same seat his father David held in the Senate for 18 years. MARK PRYOR placed on his desk the same motto that his father placed on his. It read, simply: ''Arkansas Comes First.''

But he made his own decisions, and he left a considerable mark in the Senate. Halfway through his freshman term, a new Member himself, MARK PRYOR was called on to join forces with the lions of the Senate—John Warner, Robert C. Byrd, and Danny Inouye—to forge a compromise over judicial nominations that averted a threat to a bigger confrontation. That compromise, MARK said, was the result of perspiration, not inspiration.

I disagree. It involved the inspiration of a young Senator from Arkansas who realized that public service often meant trying to work together and to reason together and to try to break down in your own individual fashion the dysfunction of Washington.

I worked with MARK on so many things over the years. As a whip I went to him many times, and we talked about difficult votes. I always found him to be honest, straightforward, and highly principled. We didn't always come to the same conclusion on the vote, but I respected him every time because I knew he gave thoughtful consideration to both sides. When it came to his vote, he was going to do what was right in his own heart and especially what was right for Arkansas. I knew that would make the final decision when it came to the vote.

I also want to put in a word of thanks to MARK as a grandfather of two 3-year-olds who are anxiously awaiting for the arrival of Santa Claus in just a few weeks. You see, MARK had the responsibility of reforming the Consumer Product Safety Commission. It was an assignment long overdue. That commission was grinding to a halt. It was not exercising its authority, and it wasn't keeping Americans safe, as it should. MARK stepped up, in a bipartisan fashion. He stepped up, and he ended up strengthening the Consumer Product Safety Commission through his efforts on the Senate commerce committee. That will keep toxic toys and harmful products out of stores.

Many people recognize what MARK PRYOR contributed in that effort. Parents magazine applauded MARK PRYOR as one of the three movers and shakers in Washington in the year 2005 for his work on the Consumer Product Safety Commission—work that continues to this day to keep America safer. Consumer protection has always been a hallmark of MARK's service, dating back to his days in Arkansas as attorney general and certainly as a Senator.

Fewer than 2,000 men and women have ever had the privilege of serving in the Senate. In our entire history, with hundreds of millions of people in our population, fewer than 2,000 have been sworn in to represent their States in the Senate. In MARK PRYOR we have a person who did an extraordinary job as a Senator for Arkansas and for America. He has been a great friend of mine—someone I am going to miss very, very much, but I hope he will keep in touch. We say that somewhat loosely when people leave here, but I mean it, because MARK PRYOR always brought a smile to my day. I recognize that his work in public service aspired to the highest levels and always will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I came to the floor without any prepared remarks, but I want to say a few words, if I could, about our colleague MARK PRYOR.

I have affectionately called him ''Hey, man,'' because in Arkansas, when you see one of your friends, you don't just say ''hi, Tom'' or ''hi, Mark,'' you say ''hey, man.'' For the last 12 years, we have been saying a lot of ''hey, man's,'' and hopefully we will do so for a long time to come.

Ten or twelve days ago I was down in Honduras—murder capital of the world—and trying to figure out how to help save a nation that may be a failing nation. They have a lot of gangs down there—gangs involved in extorting money from businesses, a lot of them kidnapping people, trafficking people. Gangs have a bad connotation in Honduras, as they should—here in Washington, DC, and in the Senate, not so much.

Senator COLLINS and Senator DURBIN have talked about some of the ''gangs'' this Senator from Arkansas has been involved in, which I think most of us would say are doing the Lord's work, doing good work. MARK is a man of deep faith, as we know, and he has been a great role model for the rest of us.

MARK has reminded me before—and maybe some others as well—that in the Old Testament, in Proverbs, we are reminded we should always pray for wisdom—always pray for wisdom. That is something I pray for every night—not just for my colleagues, of course, but certainly for me. All I can say is the good Lord has answered his prayer.

One of the reasons he has ended up as a member of these gangs for good is because he has so much wisdom. He is a good listener. He is just a very, very wise human being.

It has been a joy serving with him. He got here in 2003. He raised his right hand here and took the oath of office in 2003. He came through orientation for new Senators, and I talked to him about it later, and I said: How was orientation, MARK? He said: Well, it lasted about that long. It was over. If you are a Democrat, we are going to put you over here, and if you are a Republican, we will put you over here, and it was just like, have at it. He and I talked about it, and we said: That doesn't make much sense.

As an attorney general and a member of the Attorneys General Association, and myself as a former Governor and a member of the National Governors Association, we had a robust orientation program for new attorneys general and for new Governors. The Presiding Officer is a former Governor of Maine, and he recalls that well. I think one of the reasons why the Governors are less partisan and more likely to work across the aisle to get things done together—and the same with the attorneys general—is because of that orientation that occurs a couple weeks after the election. We didn't have anything like that in the Senate. So Senator PRYOR, along with former Governor and Senator Voinovich, former Governor Alexander and myself decided to see if we could get some kind of orientation program here for Senators. Now when people show up a couple weeks after getting elected new Senators, they no longer get put over in one corner as Democrats and one corner as Republicans and are told to go at it. They spend some time together—maybe the most concentrated time they will have together during the

time they are here—with folks of the other party. Those of us who are Senators and spouses and chaplains and so forth go in and provide information and tell them to learn from our mistakes—those of us who have made plenty of them—and you won't make those same mistakes.

One of the things Senator PRYOR is especially good at doing is trying to connect each new Senator with a mentor—a Democratic Member and a Republican Member—and he was dogged in that. Not that everybody needs a mentor, but we all need friends. We need friends on both sides of the aisle, and you will keep those friendships for a long, long time.

I was a naval officer for 23 years. When I was a 17-year-old graduate from high school, I went off to Ohio State to eventually become a Navy midshipman. I did that for 4 years, 5 years as a naval flight officer in a hot war in Southeast Asia, and 18 in the Cold War until I retired in 1991. I started learning about leadership when I was pretty young—something I learned before I became a midshipman. But among the things I learned about leadership is that a leader should be humble, not haughty. A leader should say do as I do, not do as I say. Leaders should have the heart of a servant, and we should come here with the idea of serving. The Scriptures we read say: He who would be a leader must be a servant to all; he who would be first should be a slave to all.

A leader should have the courage to stay out of step when everybody else is marching to the wrong tune. A leader shouldn't ask what is the easy thing to do, the speedy thing to do; they should ask what is the right thing to do. And a leader, as has already been said, a leader should ask the question asked of a rabbi some 2,000 years ago. A rabbi was asked: What is the most important commandment of all? He mentioned what one was, and then he said the second one is love our neighbors as ourselves. I think that is the most important one of all. Leaders are like that. Leaders are like that.

I just wish to say that I think my friend, ''Hey, man,'' also known as Senator MARK PRYOR, personifies that kind of leader. God knows we need more of them. He has demonstrated by his own character and behavior what he believes.

I am tempted to say we are going to miss him, but we are still going to see a lot of him. In the Navy, when somebody has done a great job, we say two words: Bravo Zulu—Bravo Zulu. So I say that to my friend.

We also have this admonition. The Navy has the tradition of hailing farewell on a ship or submarine or aircraft carrier, whatever squadron you are on. When people come in, we have an event called a hail and farewell party. When it is over, for those who are leaving, we say: Farewell and a following sea.

So I would say this: Farewell and a following sea, and we will see much more of you in the future.

The PRESIDING OFFICER (Mr. KING). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator CARPER for those good remarks, and I think they reflect the quality and the character MARK PRYOR has displayed as a Member of this Senate.

I have been asked: Who are some of your favorite people across the aisle, Democratic people whom you respect and like? MARK PRYOR has always been at the top of that list.

We have both served as attorneys general of our States. We have a number of things to talk about. I have been able to commiserate with him over Arkansas football in recent years. We kind of keep up with those things a lot.

I just would wish to say something that I basically said at the National Prayer Breakfast several years ago. Senator PRYOR and I were cochairmen, and I was able to say, with great confidence, that MARK PRYOR is one of the best people I have ever served with in the Senate. He is a man of faith and integrity, and his ego is under control—not always so around this place, and it makes it run better. He is collegial, willing to work with people across the aisle, work within his own party, and not one who has had difficulty making decisions. He has done what he thought was right year after year here in this great Senate.

We had the opportunity to lead the Senate Prayer Breakfast and then the National Prayer Breakfast twice, and it was a special time. MARK really did a great job and spent a great deal of time meeting with people from all over the world. I think the depth of his faith is quite obvious.

To MARK I wish to say that you are special to me. Your service in the Senate has been very special. You have always done what you thought was right for your State and done so in a way that is so pleasant and collegial to work with. I know you will have some great adventures ahead. It looks even like the Razorbacks are coming back. They may give Alabama and Auburn a real hard time next year—who knows. Hope springs eternal. They did pretty well at the end of this year, I have to say. A monster may be arising in Arkansas—who knows.

We do have a great Senate, with less than 2,000 people having served in this body. We have people of talent and ability throughout, but there are people over the period of years that touch you as the genuine article, people whom you respect and admire, and, MARK, you are one of those. God bless you and Godspeed.

I thank the Chair, and I yield the floor.

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

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

Ms. KLOBUCHAR. I join my colleagues today in all the good words that are being said about my friend Senator PRYOR. I got to know Senator PRYOR best in the commerce committee, where early on he scored a major victory for the children of this country. That was at a time we learned that toys and children's products that contained lead were being brought in from all over the world. We actually had a young child in Minnesota whose mom went out and bought a pair of Reebok tennis shoes, and with the tennis shoes came a little charm. That little child swallowed that charm, and that little child died. He did not die from choking on the charm; he died over a period of days when the lead went into his system. That is just one example. Senator PRYOR was heading up the consumer subcommittee, and we took a major vote to change the standards of lead in children's products, including jewelry and toys, and it was a huge bipartisan vote, a very important bill, what was called one of the most important pieces of consumer legislation in decades. Senator PRYOR got that done.

Later, while he was head of that subcommittee, we had a little girl in Minnesota named Abigail Taylor who died in a swimming pool. All she was doing was playing in a kiddie pool, and she happened to be sitting in the middle of the pool. The pool drain malfunctioned and basically sucked her insides out. She survived for a year. When MARK PRYOR came to Minnesota, he met with that little girl and her dad. She later died after a surgery to try to save her life.

We worked after that to get the bill passed—named after Howard Baker's grandchild, who had also died in a similar circumstance—to make sure that all these public pool drains—from apartments to YMCAs; you name it—were checked. There has been a decrease in the number of deaths. We do not hear about them on the news like we used to, and that is because of MARK PRYOR's work in the Senate subcommittee.

So I know the Taylor family—that was my proudest moment, standing back in the cloakroom and calling them. They believed after they met MARK PRYOR that it would be easy to pass this bill, that we could get this done. It wasn't quite that easy. It took a few months. We had to end up putting it in the Energy bill to get it done. But being able to call Scott Taylor, who never gave up believing Congress could get something done—that is just one more example of the work Senator PRYOR has done. So I thank him for that.

STOP EXPLOITATION THROUGH TRAFFICKING ACT

Ms. KLOBUCHAR. I am also here today to address something entirely

different; that is, a bill we would like to get done before the end of the year in the Senate. It is a bill I have with Senator CORNYN, and it is called the Stop Exploitation Through Trafficking Act of 2013. It has 19 bipartisan cosponsors. I note the year is 2013. We have been waiting nearly 2 years to get this done. A version of the bill which is very similar to ours passed the House this summer.

Senator CORNYN and I initially wrote the bill. We worked with all the sex trafficking groups. It is a very important bill, and their No. 1 priority this year is to get it done. I thank Majority Leader REID for his work on this, as well as Senator LEAHY for helping to get the bill to the floor. We have also been working with Senators HEITKAMP and KIRK, and Senator WYDEN has been an incredible partner on these issues. Senator PORTMAN has been supportive. In the House, Congressman PAULSEN called me to sponsor this bill. He took it on and, with the help of Representative Cantor and Representative MCCARTHY and the Speaker, was able to get that bill passed through the House. So this is one of those instances where people have come together and have been moving a very important bill.

We have support from the National Conference of State Legislatures, and Cindy McCain—the wife of Senator MCCAIN—and I and have done a lot of work on this issue. We spoke to their national conference this year. They have endorsed this bill. This bill is supported by the National Center for Missing and Exploited Children, the Fraternal Order of Police, Shared Hope International, National Alliance to End Sexual Violence, United Methodist Women, and the list goes on.

It is time to get this done. There is a minor error in the House bill that we need to correct, and that is why we need to pass the Senate bill. We basically made the changes that are in the House bill. We also need to pass it in the Senate because this one includes the national sex trafficking strategy.

We have Senator CORNYN working on his side of the aisle. There appear to be no objections. I will explain in a bit the amendments that passed out of Judiciary 18 to 0. That is his portion that is included in this bill. I was actually having trouble getting the bill through on its own, and so we have joined forces on this bill.

Now it appears we could have some objections on our side, which I hope will get cleared up, because people are disappointed that they cannot get other bills on. I can't help people get these other bills through. I don't have that in my power right now. The 27 million people around the world who are victims of sex trafficking cannot help get that done, nor can all of the kids whom we see in Minnesota who get taken into sex trafficking—13 years old is the average age. They cannot do anything. They cannot be pawns in a game.

It is my hope that we will be able to work this out and get this bill passed in the next day or two because then I have to get it over to the House. So I am under a major time constraint.

This is an important bill which makes clear that girls and boys who are victims of sex trafficking should not be treated as criminals. The statistics, as I said, show that more than 27 million people around the world, whether it is Boko Haram—taking those little girls from their beds in the middle of the night in Nigeria, with their parents having nothing but bicycles to try to track down the people who stole them in the middle of the woods; whether it is a young girl on the oil patch in North Dakota—a major case going on there from the U.S. attorney's office; whether it is a young girl in Minnesota—this is happening in our country today.

Over 80 percent of the victims we have in the United States are from the United States. So while we see this all over the world, we know we have our own problems in our own backyard. In terms of the increase, some of it has come because of the Internet. We love the Internet, but it has also provided ways for people to advertise for sex trafficking in ways that make it more difficult to track down. As I said, the average age of a child who is a victim of sex trafficking is 13 years old—not old enough to get a driver's license, not even old enough to go to a high school prom. We have seen problems in our own country. Eighty-three percent of sex trafficking victims in America are U.S. citizens.

Despite all those numbers, we are not here just to talk about this bill. The reason I am going to make an enormous push for it this week, to get this done, is because I don't believe young kids—mostly girls—should be pawns in a political game. We are here because of Tamara Vandermoon. She was only 12 years old—in Minnesota—when she was first sold for sex. She wasn't a teenager. She was just mad at her mom and ran away. A pimp found her and made all kinds of promises—promises that sounded pretty good to a scared kid away from home. She was taken advantage of when she was most vulnerable, before she had a chance to grow up and become an adult. That is why we are doing this bill.

This bill is actually based on a model we have in about a dozen States right now, including Minnesota, that basically says to the States: We would like to incentivize you to use this model which is to help the victims of these sex crimes, which is to help them with services, and which is to not prosecute them as criminals because the only way we are really going to be able to go after the johns, the way we are going to be able to go after the people who lead these kinds of rings is if we are willing to give these victims the help they need to turn their lives around but also to get them to testify.

It has worked very well in our State. In Ramsey County alone, we have had several prosecutions, including a 40-year sentence this last year against a guy who was running a major sex trafficking ring. If you don't think this is going on in towns such as St. Paul, MN, then you need to look in your own communities because it is going on.

One of the main goals in the bill is to make sure kids sold for sex are not treated as criminals. According to a report from Polaris, 15 States across the country already have these State safe harbor laws and another 12 States are starting to make progress in the right direction. So we are not starting from scratch. It is not some crazy idea that someone tried in one State and it wasn't working. We know this works. The Cornyn and Klobuchar bill will give incentives to States when they apply for Federal grants, and they are going to be able to apply for Federal grants after they have a safe harbor bill in place.

Our bill would also create a national strategy to combat human trafficking. Our national strategy will encourage cooperation and coordination among all the agencies that work on this problem—Federal, State, tribal, and local. It is a nationwide problem. I can tell you that these pimps and people running the rings do not care about local boundaries or county boundaries or State boundaries, and we need to be as sophisticated as they are when it comes to tackling this problem.

We also need to be giving sex trafficking victims the right support, such as job training and skills building. The bill allows victims of sex trafficking to participate in the Job Corps program to help them get back on their feet.

I am also pleased to include a provision Senators WHITEHOUSE and SESSIONS have been working on to clarify the authority of the U.S. Marshals Service to assist local law enforcement agencies in locating missing children.

As I said, I have been working closely with Senator CORNYN on the Justice for Victims of Trafficking Act, and this is also a bill with Senator WYDEN which is included in this package.

When you look at this bill, you have to think of the safe harbor provision, the provisions I just mentioned that make it easier for people who are victims of sex trafficking, for kids to be able to participate in job training; then you look at the provision from Senators WHITEHOUSE and SESSIONS regarding the U.S. Marshals; and the last part is the work with Senator CORNYN and Senator WYDEN on the Justice for Victims of Trafficking Act, which is included in this bill. It increases the fees and fines of perpetrators and should bring in nearly $30 million each year to pay for victim services. We know we have a lot of need in the States right now because this is a relatively new problem in terms of being on the increase. So shelters could apply for these grants from this fund. We think this is a very good provision, and I thank Senator WYDEN and Senator CORNYN for working on it.

I would also add that this is a provision that went through on an 18-to-0

vote as an amendment, so we know there was support out of the Judiciary Committee for this part of the bill.

As a former prosecutor, I know how important this victim-centered approach can be. Sex trafficking victims are often afraid to talk to law enforcement. It makes sense. They are not sure they are going to help them. Are they going to give them shelter? Are they going to help them turn their lives around and give them a place to sleep? If they don't have this kind of trust, they go back to the pimp and go back to the guy who was giving them money and giving them a place to sleep and probably giving them drugs. If we focus on identifying those victims even though they may not tell us they are being trafficked, then it will help them to come forward, get help, and also to testify against the trafficker, leading to more convictions.

We need to address the needs of the victim and make sure they have the support they need—housing, education, legal issues—to help break this cycle of violence and abuse. We have a great new shelter that opened up in St. Paul this year, and I was proud to be there with Cindy McCain and 180 Degrees—that is what it is called—at Brittany's Place in St. Paul. It provides special services for victims of sex trafficking to help them turn their lives around.

We also need to use the tools available to go after such traffickers. If we cannot get them on the sex trafficking charges, we need to look at money laundering charges or enterprise corruption charges or other charges. While they are not directly related to trafficking, they target traffickers nonetheless. That will be important for law enforcement, and it is the reason State prosecutors are now partnering more with Federal prosecutors.

We need to go after trafficking facilitators. These are people who know what is going on, but they are closing their eyes to it or actually letting it happen. There are some incredible businesses that have gotten out front on this issue. For example, Marilyn Carlson Nelson of Radisson Hotels in Minnesota has done training. There are a number of other hotel chains across our country that are working on this issue. Airlines—Delta, American Airlines, and others—have been doing work in this area, and it is actually exciting because we have businesses willing to say: We are on the frontline. We see when something is going on in our hotel or on our plane, and we are willing to train our employees so they know when to report an incident to law enforcement and stop things from happening on the frontline. This is happening right now in our country.

We passed a similar bill in the House, and we all know we have to make some minor corrections on the Senate side. This is the bill that Senator CORNYN and I originally introduced. We have added some good provisions from Senators Whitehouse and Sessions, as well as Senator WYDEN and Senator CORNYN, and that is what this package is. It is the kind of legislation we should pass.

Again, the victims of these sex trafficking crimes are not the ones who can figure out how we negotiate in the Senate. There are States that have not yet done anything. They may open their eyes if they know they may get a grant if they change their laws a bit and find the best practices and what is working across the country. We should be focused on those victims and not what is going on here. I am supportive of a lot of these bills that people on our side of the aisle want out of the Judiciary Committee, but they are not in my control. What is in my control is this bill.

I have garnered Republican support and passed a version of it in the House, and all I am asking from my colleagues is to be able to go forward with this bill. It would be sad indeed if we were not able to get this bill through because of Democratic objection.

I plan to ask unanimous consent on this bill. If we are not able to work something out, I will keep at it until this session closes. This bill is named the Stop Exploitation Through Trafficking Act of 2013. I think 2 years is enough time. Two years is enough. A young girl's life was ruined at age 18. We can get this bill done.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

PROFILING

Mr. CARDIN. Mr. President, this week I received several requests from international advocate groups to speak out against the injustice that is taking place in other countries with regard to their judicial system. It is not unusual to get a request in the United States to speak out on those matters.

Journalists are in prison solely because they were doing investigative journalism, human rights activists are in prison just because they felt it was necessary to speak out about the injustice in their society, and there are people who have been arrested, harassed or tortured because they disagree with the government and the judicial system of that country is unable to deal with those types of issues.

They understand that one of America's core values is fairness, inclusion, and equal justice under the law; however, recent events have shown that in the United States we are not where we need to be in regard to our judicial system, and we must do more.

Shortly after the tragic death of Trayvon Martin—an unarmed youth killed by an auxiliary police personnel—I convened a group of activists in Baltimore to try and understand what is happening in our community.

I must say that what I observed and learned during that discussion was something that should be very informative to all of us. It was an African-American audience, and they explained to me that if you have a teenaged son in the African-American community, you have to talk to that son about what they need to do in regard to their potential confrontation with police.

It was chilling for me to try to understand the fear that is in our community as to how they have to deal with law enforcement. Law enforcement should be on your side. Yet it sort of ripped me apart to understand how widespread the concern is in minority communities and the widespread number of victims of racial profiling in minority communities. So many families had an example.

There was one young woman who was there, and she told me when she was a young girl she was going to the arena to see a basketball game with her father. Her father was pulled over for no reason other than the color of his skin. He was pulled aside and unable to proceed to the basketball game. It had a huge impact on this young girl at the time and made her think: Is this America? Are these core values we believe in? Is this equal justice under the law?

One of the victims of racial profiling was a young lawyer who was returning home from a funeral he attended. He was stopped by the Maryland State Police solely because of the color of his skin—no other reason. He decided to do something about it. He brought a legal suit against the Maryland State Police Department—Wilkins v. State of Maryland. As a result of that lawsuit, a consent order was entered into where the Maryland State Police committed to stop racial profiling. There were certain practices that had to be established, certain checks that had to be done, certain data that had to be provided, and I believe it became the model example of what law enforcement needs to do to ensure it is not using racial profiling.

I mentioned that case because Robert Wilkins, the young lawyer who brought that case, has been confirmed by the Senate and now sits on the DC Court of Appeals—one of the confirmations we were able to complete in this term of Congress. He is an excellent member of the Court of Appeals for the District.

We get constant reminders of the problems we have in our criminal justice system; for example, the tragic death of Michael Brown in Ferguson, MO. I am a strong supporter of the independence of our judicial branch of government and the grand jury system, but I think all of us understand the frustration when there were no criminal indictments brought in the Trayvon Martin case, the Michael Brown case, and in the most recent case with Eric Garner. He was the unarmed individual who was choked to death in New York.

Unfortunately, there are many more examples where the criminal justice system does not appear to work for equal justice for all.

In Oakland, CA, the NAACP reported that out of the 45 officers involved in

shootings in the city between 2004 and 2008, 37 of those shot were Black, none were White, one-third of the shootings resulted in fatalities, and although weapons were not found in 40 percent of the cases, no officers were charged. No wonder people are losing confidence that we truly do have a system where all of our citizens are treated equally under the law.

I have to point out that the Department of Justice is investigating the circumstances in the Ferguson and Michael Brown case. We will have to wait and see what happens with the Federal investigation, but the initial suspicions in many of these cases were solely because of the color of a person's skin, and that is why the individuals were stopped. They were not stopped because they were observed in criminal activities or because they had specific information about a crime that fit the description of the individual who was stopped. That is profiling and profiling is wrong.

Profiling is when the police target an individual, start an investigation, and do something because of race, religion or national origin. That is wrong. It does not work. If you have specific information about a crime, obviously you can use identifiers to deal with the investigation, and that is appropriate. But if you don't have specific information, then it is profiling, and profiling is just plain wrong. It is un-American. It is not what we believe in. It is not in our core values. It is a waste of resources because it doesn't help solve a problem. It turns communities against law enforcement, and we need communities working with law enforcement if we are going to have the most efficient law enforcement. As we have seen too frequently in recent years in the United States, it can be deadly. Profiling must end.

The Attorney General issued some guidance on profiling today. There were some things in there that I found helpful. For the first time the Justice Department guidelines will cover new categories, such as national origin, gender, gender identity, religion, and sexual orientation, while closing certain loopholes and narrowing some exemptions.

The guide mandates new data collection which makes it easier to track profiling complaints. It is all positive. For the first time we have specific guidelines against profiling, but it only applies to the Federal agencies. We need to act because only we can make it apply not just at the Federal level but at the State and local auxiliaries. We can close all loopholes so we do not allow profiling to take place in America, as we should, and we can give a private right of action so we can have enforcement of the laws that we pass. That is what we should do.

I have introduced legislation that does exactly that—The End Racial Profiling Act, S. 1038. I am proud to have as cosponsors Senators REID, DURBIN, BLUMENTHAL, COONS, HARKIN, MENENDEZ, STABENOW, LEVIN, MIKULSKI, WARREN, BOXER GILLIBRAND, HIRONO, WYDEN, MURPHY, and WHITEHOUSE.

I am proud to say that in the House of Representatives the lead sponsor is JOHN CONYERS, who has been an iconic figure in the fight for civil rights, H.R. 2851. There are 59 cosponsors on the House bill.

The legislation we authored would provide training and mentoring for police departments so they have what they need. It prohibits all forms of profiling. It provides for data collection. It provides grants to develop best practices. It has broad support, including the support of the Leadership Conference on Civil and Human Rights, ACLU, NAACP, and the Rights Working Group.

America is a beacon of hope for people all around the world. They embrace our core values because they know what America stands for. It stands for every one of us being treated fairly under our laws. I am proud of our values, and I am proud of what we have been able to accomplish as a nation where we can enjoy religious freedom, where people can speak out however they want to about their government.

Let us take care of business first at home and recognize that we are not where we need to be. Recent events where people have lost their lives show how our system is not working and needs to be corrected. One thing we can do is pass the End Racial Profiling Act. As Senator Kennedy said, civil rights is the great unfinished business of America. We can end profiling by passing legislation.

I encourage my colleagues to work with me so we can end profiling and move one step closer to equal justice under the law for all Americans.

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

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

UNANIMOUS CONSENT REQUEST—S. 1352

Mr. TESTER. Mr. President, as we hurry to finish things late in the year, we are running out of time to reauthorize the Native American Housing Assistance and Self-Determination Act, referred to as NAHASDA. This legislation was first passed in 1996 to consolidate Indian housing programs at the Department of Housing and Urban Development. This block grant replaced 14 different housing programs operating in Indian Country. The law has been previously authorized twice in a bipartisan manner.

The housing needs in Indian Country are staggering. A recent GAO report stated that 5.3 percent of homes on Indian lands lacked complete plumbing. That compares to homes nationwide where less than 1 percent lack plumbing.

Tribal communities also face a serious housing shortage. In some cases, there are up to 20 people living in a single three-bedroom home. That is not by choice, by the way. That is by necessity. These are often extended families with three or four generations under one roof. This is unacceptable. We must do more to honor the trust responsibility the government has to American Indians.

The best tool we have to address this housing shortage is the Indian Housing Block Grant Program authorized by NAHASDA. Not passing this reauthorization places this program in jeopardy, and we should reauthorize it today.

Last year, during Senator CANTWELL's tenure as chair of the Committee on Indian Affairs, she introduced a reauthorization bill. This bill makes a number of positive changes to the law.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 334, S. 1352; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I prepared an amendment which is at the desk. The amendment I would like to offer would strike just one provision of this bill which is the reauthorization of the Hawaiian Homes Commission Act from this large reauthorization bill. The Hawaiian Homes Commission Act, in my view, is unconstitutional. It conditions benefits to certain residents of the State of Hawaii on their ancestry; that is, on what race they belong to, like the U.S. Supreme Court, which invalidated similar laws, making membership of a racial group an explicit qualification for certain benefits. I believe this act violates the constitutional guarantee of equal protection. I, therefore, cannot support the reauthorization without an amendment striking that same language. Accordingly, I respectfully request that my distinguished colleague, the senior Senator from Montana, modify his request to adopt my amendment which is at the desk and which would strike section 503.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. TESTER. I object to the modification because of this: Setting aside the fact that Senator Inouye was a very good friend of mine, the Native Hawaiian Homelands Act was passed into law some time ago. As Native people, Native Hawaiians have sacrificed

their lands similar to Native people here and in Alaska. The Native Hawaiians here have similar needs to those whom I just explained.

The cost of housing in Hawaii is a significant barrier for Native Hawaiians. Reauthorizing the Native Hawaiian provisions will provide stability and assurances to keep housing programs for Native Hawaiians moving forward. For these reasons, I object to that modification.

The PRESIDING OFFICER. There is an objection to the modification.

Is there a further objection to the original request?

Mr. LEE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. TESTER. I am disappointed that we cannot pass this legislation. This bill would not only reauthorize Indian housing programs with HUD but would streamline cumbersome environmental requirements and allow for more flexibility to build more modern, sustainable housing. This legislation would also reauthorize housing programs, as I said, for the Native Hawaiians, where the need exists in a big way.

I should also mention that the exact same provision was included in a bill that passed the Republican-controlled House of Representatives last week on a voice vote.

Finally, this legislation will make the HUD-VASH Program available to tribally designated housing authorities through the Indian housing block grant. These funds will be specifically used for housing assistance for homeless, Native veterans, as well as those who are at risk of becoming homeless.

As many of my colleagues know, American Indians serve at higher rates per capita than any other population in the military and continue to be one of the most underserved groups of veterans.

With all these good things in it, I am extremely disappointed that we cannot get this bill across the finish line. Housing Native people should be a priority for Congress as we wrap up this session.

It is frustrating to see a bill get through the House only to have potentially a couple of Senators here hoping to get a better report card from a group such as the Heritage Foundation.

I am sorry we cannot pass the bill today. This is disappointing for any country and the Senate. I am more than willing to talk about germane changes, but the bottom line is this: Many folks here do not understand the trust responsibilities we have to our Native American people. If we are going to start carving folks out such as the Native Hawaiians, we are going to be making two classes of Native American people in this country. I don't think that is fair to them, nor do I think it is fair to this country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

FOIA IMPROVEMENT ACT OF 2014

Mr. LEAHY. Mr. President, I am about to propound a unanimous consent request, but I should explain why. It is on the Freedom of Information Act, one of our Nation's most important laws. For nearly 50 years, FOIA has given Americans a way to access government information, ensuring their right to know what their government is doing. Today, the Senate is now poised to build on that important legacy with passage of the bipartisan Leahy-Cornyn FOIA Improvement Act.

The FOIA Improvement Act will codify what the President laid out in his historic executive order in 2009. This legislation will require Federal agencies to adopt a ''Presumption of Openness'', and make it a priority of the people's interest in what their government is doing. Our bill will reduce the overuse of exemptions to withhold information where there is no foreseeable harm. It will make information available for public inspection, and make frequently requested documents available online. It will provide the Office of Government Information Services (OGIS), with additional independence and authority to carry out its work. I believe this legislation reaffirms the fundamental premise of FOIA, that government information belongs to all Americans.

Passage of FOIA will help open the government to more than 300 million Americans whom the government is supposed to serve. The bill is supported by 70 public interest groups that advocate for government transparency. The Sunshine in Government Initiative said the Leahy-Cornyn bill ''strengthens government transparency by limiting the ability of agencies to hide decades old documents from the public.''

We reported this legislation out of the Judiciary Committee to the full Senate with unanimous support. Ranking Member GRASSLEY said the FOIA Improvement Act ''opens wide the curtains and provides more sunlight on the Federal Government.'' Senator CORNYN has been my partner for many years on government transparency and noted our bipartisan efforts ''open up the government and make it more consumer and customer friendly.'' I thank them both for their work on this legislation.

Today I ask that the Senate pass S. 2520, the bipartisan FOIA Improvement Act of 2014. We often talk about the need for government transparency, and many also note how rare it is that Democrats and Republicans can come together on any legislation. Today, we can accomplish both of those things but time is running out. We drafted this bill in a bipartisan fashion after a long and thoughtful process of consultation. It has broad support from a range of stakeholders.

I urge all Senators to support passage of this legislation today, so it can be taken up by the House, and sent to the President to be signed into law before the end of this Congress.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 605, S. 2520.

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

The assistant legislative clerk read as follows:

A bill (S. 2520) to improve the Freedom of Information Act.

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. 2520

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FOIA Improvement Act of 2014''.

SEC. 2. AMENDMENTS TO FOIA.

Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''for public inspection and copying'' and inserting ''for public inspection in an electronic format'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) copies of all records, regardless of form or format—

''(i) that have been released to any person under paragraph (3); and

''(ii)(I) that because of the nature of their subject matter, the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records; or

''(II) that have been requested not less than 3 times; and''; and

(iii) in the undesignated matter following subparagraph (E), by striking ''public inspection and copying current'' and inserting ''public inspection in an electronic format current'';

(B) in paragraph (4)(A), by striking clause (viii) and inserting the following:

''(viii)(I) Except as provided in subclause (II), an agency shall not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) under this subparagraph if the agency has failed to comply with any time limit under paragraph (6).

''(II)(aa) If an agency has determined that unusual circumstances apply (as the term is defined in paragraph (6)(B)) and the agency provided a timely written notice to the requester in accordance with paragraph (6)(B), a failure described in subclause (I) is excused for an additional 10 days. If the agency fails to comply with the extended time limit, the agency may not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees).

''(bb) If an agency has determined that unusual circumstances apply and more than 50,000 pages are necessary to respond to the request, an agency may charge search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) if the agency has provided a timely written notice to the requester in accordance with paragraph (6)(B) and the agency has discussed with the requester via written mail, electronic mail, or telephone (or made not less than 3 good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with paragraph (6)(B)(ii).

''(cc) If a court has determined that exceptional circumstances exist (as that term is defined in paragraph (6)(C)), a failure described in subclause (I) shall be excused for the length of time provided by the court order.'';

(C) in paragraph (6)—

(i) in subparagraph (A)(i), by striking ''making such request'' and all that follows through ''determination; and'' and inserting the following: ''making such request of—''

''(I) such determination and the reasons therefor;

''(II) the right of such person to seek assistance from the FOIA Public Liaison of the agency; and

''(III) in the case of an adverse determination—

''(aa) the right of such person to appeal to the head of the agency, within a period determined by the head of the agency that is not less than 90 days after the date of such adverse determination; and

''(bb) the right of such person to seek dispute resolution services from the FOIA Public Liaison of the agency or the Office of Government Information Services; and''; and

(ii) in subparagraph (B)(ii), by striking ''the agency.'' and inserting ''the agency, and notify the requester of the right of the requester to seek dispute resolution services from the Office of Government Information Services.''; and

(D) by adding at the end the following:

''(8)(A) An agency—

''(i) shall—

''(I) withhold information under this section only if—

''(aa) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b) or other provision of law; or

''(bb) disclosure is prohibited by law; and

''(II)(aa) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

''(bb) take reasonable steps necessary to segregate and release nonexempt information; and

''(ii) may not—

''(I) withhold information requested under this section merely because the agency can demonstrate, as a technical matter, that the records fall within the scope of an exemption described in subsection (b); or

''(II) withhold information requested under this section merely because disclosure of the information may be embarrassing to the agency or because of speculative or abstract concerns.

''(B) Nothing in this paragraph requires disclosure of information that is otherwise prohibited from disclosure by law, or otherwise exempted from disclosure under subsection (b)(3).'';

(2) in subsection (b), by amending paragraph (5) to read as follows:

''(5) inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency, if the requested record or information was created less than 25 years before the date on which the request was made;'';

(3) in subsection (e)

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''and to the Director of the Office of Government Information Services'' after ''United States'';

(ii) in subparagraph (N), by striking ''and'' at the end;

(iii) in subparagraph (O), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(P) the number of times the agency denied a request for records under subsection (c); and

''(Q) the number of records that were made available for public inspection in an electronic format under subsection (a)(2).'';

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

''(3) Each agency shall make each such report available for public inspection in an electronic format. In addition, each agency shall make the raw statistical data used in each report available in a timely manner for public inspection in an electronic format, which shall be made available—

''(A) without charge, license, or registration requirement;

''(B) in an aggregated, searchable format; and

''(C) in a format that may be downloaded in bulk.'';

(C) in paragraph (4)—

(i) by striking ''Government Reform and Oversight'' and inserting ''Oversight and Government Reform'';

(ii) by inserting ''Homeland Security and'' before ''Governmental Affairs''; and

(iii) by striking ''April'' and inserting ''March''; and

(D) by striking paragraph (6) and inserting the following:

''(6)(A) The Attorney General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Judiciary of the Senate, and the President a report on or before March 1 of each calendar year, which shall include for the prior calendar year—

''(i) a listing of the number of cases arising under this section;

''(ii) a listing of—

''(I) each subsection, and any exemption, if applicable, involved in each case arising under this section;

''(II) the disposition of each case arising under this section; and

''(III) the cost, fees, and penalties assessed under subparagraphs (E), (F), and (G) of subsection (a)(4); and

''(iii) a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

''(B) The Attorney General of the United States shall make—

''(i) each report submitted under subparagraph (A) available for public inspection in an electronic format; and

''(ii) the raw statistical data used in each report submitted under subparagraph (A) available for public inspection in an electronic format, which shall be made available—

''(I) without charge, license, or registration requirement;

''(II) in an aggregated, searchable format; and

''(III) in a format that may be downloaded in bulk.'';

(4) in subsection (g), in the matter preceding paragraph (1), by striking ''publicly available upon request'' and inserting ''available for public inspection in an electronic format'';

(5) in subsection (h)—

(A) in paragraph (1), by adding at the end the following: ''The head of the Office shall be the Director of the Office of Government Information Services.'';

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) identify procedures and methods for improving compliance under this section.'';

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

''(3) The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and administrative agencies as a non-exclusive alternative to litigation and may issue advisory opinions at the discretion of the Office or upon request of any party to a dispute.''; and

(D) by adding at the end the following:

''(4)(A) Not less frequently than annually, the Director of the Office of Government Information Services shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on the Judiciary of the Senate, and the President—

''(i) a report on the findings of the information reviewed and identified under paragraph (2);

''(ii) a summary of the activities of the Office of Government Information Services under paragraph (3), including—

''(I) any advisory opinions issued; and

''(II) the number of times each agency engaged in dispute resolution with the assistance of the Office of Government Information Services or the FOIA Public Liaison; and

''(iii) legislative and regulatory recommendations, if any, to improve the administration of this section.

''(B) The Director of the Office of Government Information Services shall make each report submitted under subparagraph (A) available for public inspection in an electronic format.

''(C) The Director of the Office of Government Information Services shall not be required to obtain the prior approval, comment, or review of any officer or agency of the United States, including the Department of Justice, the Archivist of the United States, or the Office of Management and Budget before submitting to Congress, or any committee or subcommittee thereof, any reports, recommendations, testimony, or comments, if such submissions include a statement indicating that the views expressed therein are those of the Director and do not necessarily represent the views of the President.

''(5) The Director of the Office of Government Information Services may directly submit additional information to Congress and the President as the Director determines to be appropriate.

''(6) Not less frequently than annually, the Office of Government Information Services shall conduct a meeting that is open to the public on the review and reports by the Office and shall allow interested persons to appear and present oral or written statements at the meeting.'';

(6) by striking subsections (i), (j), and (k), and inserting the following:

''(i) The Government Accountability Office shall—

''(1) not later than 1 year after the date of enactment of the FOIA Improvement Act of 2014 and every 2 years thereafter, conduct audits of 3 or more administrative agencies on compliance with and implementation of the requirements of this section and issue reports detailing the results of such audits;

''(2) not later than 1 year after the date of enactment of the FOIA Improvement Act of 2014 and every 2 years thereafter, issue a report cataloging the number of exemptions described in paragraphs (3) and (5) of subsection (b) and the use of such exemptions by each agency;

''(3) not later than 1 year after the date of enactment of the FOIA Improvement Act of 2014, conduct a study on the methods Federal agencies use to reduce the backlog of requests under this section and issue a report on the effectiveness of those methods; and

''(4) submit copies of all reports and audits described in this subsection to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on the Judiciary of the Senate.

''(j)(1) Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

''(2) The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

''(A) have agency-wide responsibility for efficient and appropriate compliance with this section;

''(B) monitor implementation of this section throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency's performance in implementing this section;

''(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve its implementation of this section;

''(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency's performance in implementing this section;

''(E) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of the exemptions in both the agency's handbook issued under subsection (g), and the agency's annual report on this section, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply;

''(F) offer training to agency staff regarding their responsibilities under this section;

''(G) serve as the primary agency liaison with the Office of Government Information Services and the Office of Information Policy; and

''(H) designate 1 or more FOIA Public Liaisons.

''(3) The Chief FOIA Officer of each agency shall review, not less frequently than annually, all aspects of the administration of this section by the agency to ensure compliance with the requirements of this section, including—

''(A) agency regulations;

''(B) disclosure of records required under paragraphs (2) and (8) of subsection (a);

''(C) assessment of fees and determination of eligibility for fee waivers;

''(D) the timely processing of requests for information under this section;

''(E) the use of exemptions under subsection (b); and

''(F) dispute resolution services with the assistance of the Office of Government Information Services or the FOIA Public Liaison.

''(k)(1) There is established in the executive branch the Chief FOIA Officers Council (referred to in this subsection as the 'Council').

''(2) The Council shall be comprised of the following members:

''(A) The Deputy Director for Management of the Office of Management and Budget.

''(B) The Director of the Office of Information Policy at the Department of Justice.

''(C) The Director of the Office of Government Information Services.

''(D) The Chief FOIA Officer of each agency.

''(E) Any other officer or employee of the United States as designated by the Co-Chairs.

''(3) The Director of the Office of Information Policy at the Department of Justice and the Director of the Office of Government Information Services shall be the Co-Chairs of the Council.

''(4) The Administrator of General Services shall provide administrative and other support for the Council.

''(5)(A) The duties of the Council shall include the following:

''(i) Develop recommendations for increasing compliance and efficiency under this section.

''(ii) Disseminate information about agency experiences, ideas, best practices, and innovative approaches related to this section.

''(iii) Identify, develop, and coordinate initiatives to increase transparency and compliance with this section.

''(iv) Promote the development and use of common performance measures for agency compliance with this section.

''(B) In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section.

''(6)(A) The Council shall meet regularly and such meetings shall be open to the public unless the Council determines to close the meeting for reasons of national security or to discuss information exempt under subsection (b).

''(B) Not less frequently than annually, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.

''(C) Not later than 10 business days before a meeting of the Council, notice of such meeting shall be published in the Federal Register.

''(D) Except as provided in subsection (b), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by the Council shall be made publicly available.

''(E) Detailed minutes of each meeting of the Council shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Council. The minutes shall be redacted as necessary and made publicly available.''; and

(7) by adding at the end the following:

''(m)(1) The Director of the Office of Management and Budget, in consultation with the Attorney General, shall ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records under subsection (a) to any agency from a single website. The portal may include any additional tools the Director of the Office of Management and Budget finds will improve the implementation of this section.

''(2) This subsection shall not be construed to alter the power of any other agency to create or maintain an independent online portal for the submission of a request for records under this section. The Director of the Office of Management and Budget shall establish standards for interoperability between the portal required under paragraph (1) and other request processing software used by agencies subject to this section.''.

SEC. 3. REVIEW AND ISSUANCE OF REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the head of each agency (as defined in section 551 of title 5, United States Code) shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by section 2.

(b) REQUIREMENTS.—The regulations of each agency shall include procedures for engaging in dispute resolution through the FOIA Public Liaison and the Office of Government Information Services.

SEC. 4. PROACTIVE DISCLOSURE THROUGH RECORDS MANAGEMENT.

Section 3102 of title 44, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following:

''(2) procedures for identifying records of general interest or use to the public that are appropriate for public disclosure, and for posting such records in a publicly accessible electronic format;''.

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act or the amendments made by this Act. The requirements of this Act and the amendments made by this Act shall be carried out using amounts otherwise authorized or appropriated.

Mr. LEAHY. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be read a third time 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 committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 2520), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. LEAHY. Mr. President, I see other Senators seeking the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

MCFERRAN NOMINATION

Mr. HARKIN. Mr. President, I speak in support of the nomination of Lauren McFerran to fill an approaching vacancy on the National Labor Relations Board. I was heartened by the recent cloture vote in support of the McFerran nomination and urge my colleagues in just a short while to vote in favor of her confirmation.

Ms. McFerran is well known to most of us as a senior staffer on the HELP Committee, where she has long served as chief labor counsel and more recently as deputy staff director. She has been nominated to fill a vacancy that will result from the departure later this month of a current Board Member, Nancy Schiffer. I would like to take this opportunity to publicly thank Ms. Schiffer for her dedicated service to the National Labor Relations Board. She has been a highly respected Board Member and I wish her every success in her future endeavors.

I also want to say a word about the previous nominee to the Board, Sharon Block, whose nomination was withdrawn at the insistence of Senate Republicans. Although I have no doubt that Ms. McFerran will serve with fairness and distinction, it is unfortunate that Sharon Block, a dedicated public servant, will not have the opportunity to serve further on the National Labor Relations Board. Ms. Block was an extraordinarily qualified nominee who was widely respected by both Democrats and Republicans alike. Ms. Block's nomination was withdrawn as a result of circumstances wholly beyond her control. But her qualifications and experience are undiminished and untarnished by the circumstances that led to the withdrawal of her nomination.

The National Labor Relations Board is an agency that is absolutely critical to our country, to our economy, and to our middle class. Over 75 years ago, Congress enacted the National Labor Relations Act, guaranteeing American workers the right to form and join a union and to bargain for a better life. That act sets forth a national policy to encourage collective bargaining—to encourage collective bargaining. That is the national policy of this government, and has been since 1935.

Let me read what the act specifically states:

> It is declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

That is the policy of the U.S. Government, to encourage collective bargaining, not to destroy it, not to tear it down, not to throw up roadblocks against collective bargaining, but to encourage it. Those who continually attack the National Labor Relations Board, who try to interfere in its procedures, many times are those who want to throw a monkey wrench into collective bargaining. Well, they are going against the policy of the United States.

I am proud to be a citizen of a country that promotes collective bargaining, to allow workers to negotiate for better wages, better conditions, safe working conditions, a country that protects fundamental rights such as the freedom of association.

The act provides these essential protections for union and nonunion workers alike. It gives workers a voice in the workplace, allowing them to join together and speak up for the very essence of middle-class jobs: fair wages, good benefits, safe working conditions. These rights ensure that the people who do the real work in this country have a shot at joining the middle class and receiving a fair share of the benefits when our economy grows.

The NLRB, the National Labor Relations Board, is the guardian of these fundamental rights. Workers themselves cannot enforce the National Labor Relations Act, but they can turn to the Board if they have been denied the basic protections provided under the law. In short, the Board plays a vital role in vindicating workers' rights.

Get this. Understand this. In the past 10 years, the National Labor Relations Board, the NLRB, has secured opportunities for reinstatement of 22,544 employees who were unjustly fired. Over that same past 10 years, the NLRB has recovered more than $1 billion on behalf of workers whose rights and wages were violated.

The Board also provides relief and remedies to our Nation's employers. A lot of people think the NLRB is just there for the workers. Not so. It is there to help employers too. For example, employers can turn to the Board for relief if a union commences a wildcat strike or refuses to bargain in good faith during negotiations. The NLRB has a long history of helping businesses resolve disputes efficiently.

By preventing or resolving labor disputes that could disrupt our economy, the work the Board does is vital to every worker and every business across the Nation. That is why it is so important that we maintain a fully functional five-member NLRB. I am proud of the fact that just over a year ago, we were able to confirm Members to completely fill the first Board in over a decade. Now we need to fill a soon-to-be-open seat so the Board can continue to function effectively. That is what this vote coming up is all about.

It is unfortunate that some of my friends on the other side of the aisle do not believe in the National Labor Relations Act—not all of them, but a very vocal minority, I would say. They do not agree that it should be the policy of the United States to promote collective bargaining and self-organization in order to prevent disruptions in ''the free flow of commerce'' that can have a detrimental impact on our Nation's economy.

They would like to change the existing law if they could, but they do not have the votes. So, instead, they have attempted to pull every possible lever to slow down the work that goes on at the NLRB. Recently, Republicans in the House of Representatives have held hearing after hearing specifically addressing the NLRB. They passed two bills to amend the NLRA, the National Labor Relations Act, to strip workers of their rights. Republican elected officials have tried to defund the agency, threatening the professional credentials and livelihoods of nonpartisan career employees, and even called on a Republican Board Member to resign in order to incapacitate the agency. You heard me right. Republicans called on a Republican Board Member of the National Labor Relations Board to leave it, and then they would not have enough Members to function.

What most concerns me about this political game-playing is how it affects the everyday lives of workers across America. For workers who are disciplined, penalized, even fired unjustly by employers, it is the NLRB that ensures that workers who are illegally punished, as I mentioned, can get back their jobs and lost wages.

This is exactly why we need to confirm Ms. McFerran today. No one can contest her qualifications. As I said, she currently serves as both chief labor counsel and deputy staff director of the Senate HELP Committee. I am proud to have her as a member of my staff. She has served this committee with excellence and great professionalism, first hired by my predecessor Senator Kennedy. She stayed on after his passing and my assumption of the chairmanship of the committee.

She has a deep knowledge of labor law. She is an incredibly talented lawyer. She is a person of sterling integrity and strong character. She will be a great asset to the Board. It is my hope that by promptly confirming Ms. McFerran's nomination to fill the upcoming vacancy, we can continue the progress that has been made recently and begin a new era where orderly transitions on the NLRB are the norm, where we do not go month after month, year after year, with vacancies, with a board that cannot function.

Instead of letting every vacancy become a political football, with threats to shutter the Board, and pressure for recess appointments, we should set a new precedent of confirming nominees, Democratic and Republican alike, in a timely manner, allowing the dedicated public servants at the Board to stop worrying about making headlines and instead focus on the important work they do every day.

Again, that important work includes assuring that American workers are able to exercise their right to freedom of association. In the workplace, this freedom means collectively bargaining for better wages, benefits, and working conditions. It is enshrined in the National Labor Relations Act and upheld by the NLRB.

I have no doubt that Ms. McFerran will do an excellent job in this important position. I urge my colleagues to support her confirmation later this afternoon.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JEFFERY MARTIN BARAN TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION

NOMINATION OF LAUREN McGARITY McFERRAN TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

NOMINATION OF ELLEN DUDLEY WILLIAMS TO BE DIRECTOR OF THE ADVANCED RESEARCH PROJECTS AGENCY—ENERGY, DEPARTMENT OF ENERGY

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

The assistant legislative clerk read the nominations of Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission; Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board; and Ellen Dudley Williams, of Maryland, to be Director of the Advanced Research Projects Agency—Energy, Department of Energy.

VOTE ON BARAN NOMINATION

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to the vote on the Baran nomination.

Who yields time?

Mr. VITTER. I yield back and ask for the yeas and nays.

The PRESIDING OFFICER. All time having been yielded back, the yeas and nays are requested.

Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Texas (Mr. CRUZ), and the Senator from Pennsylvania (Mr. TOOMEY).

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

The result was announced—yeas 52, nays 40, as follows:

[Rollcall Vote No. 316 Ex.]

YEAS—52

Baldwin	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Heller	Sanders
Booker	Hirono	Schatz
Boxer	Johnson (SD)	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Stabenow
Cardin	Klobuchar	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Coons	Markey	Walsh
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	
Hagan	Nelson	

NAYS—40

Alexander	Graham	Murkowski
Ayotte	Grassley	Paul
Barrasso	Hatch	Portman
Boozman	Hoeven	Risch
Burr	Inhofe	Roberts
Coats	Isakson	Rubio
Cochran	Johanns	Scott
Collins	Johnson (WI)	Sessions
Corker	Kirk	Shelby
Cornyn	Lee	Thune
Crapo	Manchin	Vitter
Enzi	McCain	Wicker
Fischer	McConnell	
Flake	Moran	

NOT VOTING—8

Blunt	Cruz	Rockefeller
Chambliss	Landrieu	Toomey
Coburn	McCaskill	

The nomination was confirmed.

VOTE ON MCFERRAN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the McFerran nomination.

Who yields time?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board?

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Texas (Mr. CRUZ), and the Senator from Pennsylvania (Mr. TOOMEY).

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

The result was announced—yeas 54, nays 40, as follows:

[Rollcall Vote No. 317 Ex.]

YEAS—54

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden

NAYS—40

Alexander	Graham	Murkowski
Ayotte	Grassley	Paul
Barrasso	Hatch	Portman
Boozman	Heller	Risch
Burr	Hoeven	Roberts
Coats	Inhofe	Rubio
Cochran	Isakson	Scott
Collins	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Vitter
Enzi	McCain	Wicker
Fischer	McConnell	
Flake	Moran	

NOT VOTING—6

Blunt	Coburn	Landrieu
Chambliss	Cruz	Toomey

The nomination was confirmed.

VOTE ON WILLIAMS NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Williams nomination.

Mr. RUBIO. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Ellen Dudley Williams, of Maryland, to be Director of the Advanced Research Projects Agency—Energy, Department of Energy?

The nomination was confirmed.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only.

The Senator from Florida.

ANNIVERSARY OF THE PEARL HARBOR ATTACK

Mr. RUBIO. Mr. President, yesterday at events all around Florida and across the country, America marked the 73rd anniversary of the attack on Pearl Harbor—a day known not only for its tragedy but also for its role in shaping the destiny of what has come to be called the ''greatest generation.'' It is a generation that faced challenges unlike any seen before or since. It saw a decade of widespread prosperity crumble into the deepest depression in American history, and it saw the deepest depression in American history give way to the deadliest war in human history.

The scope of hardship, destruction, and wickedness they faced was exceeded only by the strength and valor with which they responded. Theirs is a generation that truly saved the world. I don't think any other generation at any time can have that said of them with the same bluntness.

Today that generation passes its stories on to us. They are our parents and grandparents, our ancestors and our heritage. Their stories are emblems of strength that inspire us as we meet our challenges in this new century.

Yesterday we honored the almost 2,500 Americans who were killed on that day of infamy 73 years ago—unsuspecting servicemembers, innocent men and women, but today we have a chance to honor the sacrifices made in response to that attack.

It was on this very day 73 years ago that President Roosevelt famously came before Congress to ask for a declaration of war. He expressed his confidence that the American people would rally to defend their Nation, saying: ''The people of the United States have already formed their opinions and well understand the implications to the very life and safety of our Nation.''

He was right. In the days that followed, 5 million Americans dropped everything to volunteer for the Armed Forces. No one asked them to do it; they just did it. Tens of millions more entered the draft or assisted the war effort at home, and the American people became the arsenal of democracy almost overnight.

In the latter years of his life, I had the honor of meeting and working with a man who was at Pearl Harbor. He was in Pearl Harbor that day and fought on foreign battlefields in the years that followed, even losing a limb. I am

speaking, of course, of the legendary leader with whom we are all familiar, Senator Daniel Inouye. He was born and raised in Hawaii and was 17 years old on December 7, 1941. When the attack on Pearl Harbor occurred, he rushed to the scene to help treat the wounded. He enlisted in the Army the first chance he got and went on to receive the Medal of Honor for his valor.

When the smoke of World War II finally cleared, his legacy of service was just beginning. He would go on to serve Hawaii in both the Senate and the House. By the time of his death, Senator Inouye was the second-longest serving Senator in United States history. I was privileged to count him as my colleague, though for too brief a time.

Like Senator Inouye, I also had the privilege of representing many veterans of World War II, including some who survived the attack on Pearl Harbor. At last count, there are over 140 Pearl Harbor survivors living in Florida, and I wish to tell you the stories of three of those men.

One is SgtMajMC William Braddock of Pensacola. I recently had the privilege of hearing his account of what happened that Sunday morning in Hawaii. Major Braddock had joined the Marine Corps the year prior to the attack. That morning he was in the messhall preparing for duty when he heard the first explosion. He ran outside and was met with pandemonium.

Ships that had been stretched out peacefully in the sun moments before were now engulfed in flames, blanketing the harbor in black smoke. He watched a torpedo drop in the water and seconds later explode into the side of the USS *Oklahoma*. He described the stain of oil on the water and the way flames shot up from it, and the horror of watching sailors trapped in the fire. Amidst the confusion and shouting of orders, he recalled how little he could do to save lives and how helpless he felt.

Following the attack, Major Braddock went on to fight bravely in some of the key battles in World War II. He fought in the Battle of Iwo Jima and remembers vividly the day the iconic flag was raised above the island. He was in the occupational forces in Japan after the devastation of the atomic bombs. But despite all the horrors he witnessed, Major Braddock did not retire from the armed services the first chance he got. On the contrary, he went on to 27 years of distinguished service in the Marine Corps.

I can't help but be humbled hearing such a story. Major Braddock is a man who fought out of duty and love of his country. He saw himself as a citizen soldier—even recalling the way his experience hunting rabbits in the fields around his house as a boy actually prepared him for Iwo Jima. He is humbled regarding his role. He says he tries not to give too much thought to it when he doesn't have to.

That same modesty is the hallmark of another story, the story of a Pearl Harbor survivor who lives in Palm Beach County today. His name is Wayne Myrick, and he was a chief machinist's mate on the USS *Blue* at the time of the attack.

Within seconds of the first explosion, Chief Petty Officer Myrick had rushed to gather ammunition and help operate the guns aboard that destroyer. But as a chief machinist, his attention soon turned to other matters. The captain of the USS *Blue* was eager to get the ship out on open water, but the boilers beneath deck were off line.

Under intense gunfire, Chief Petty Officer Myrick and his crew members scrambled to get the boilers working and eventually managed to give the ship the maneuvering speed to move out. With his help, the USS *Blue* was one of the first vessels to make it to open water and was able to down five enemy aircraft and at least one submarine.

Chief Petty Officer Myrick recalled how important his oath was to him that day. He and every one of his shipmates took an oath when they enlisted that commanded them to follow their orders and defend their country from all enemies, and he viewed that oath as a solemn and sacred one because it was a reminder that service to one's country is about more than self. He had a simple but powerful message he wanted me to share today: Be very proud to serve your country.

Finally, I wish to share the story of CDR Hal Sullivan of Jacksonville. Commander Sullivan joined the U.S. Navy when he was 23 years old. He was on the bridge of a destroyer that Sunday morning, tasked with operating the sonar equipment and helping sweep for mines. When the first explosion rocked the harbor, he looked up to see a Japanese plane bank sharply overhead. In fact, it was so close to him, he could see the expression on the face of the pilot. He even recalled wryly that he could have thrown a potato right into the cockpit if he had had one handy.

Before he could process what was happening, gunfire swept over the deck and struck the sailor next to him in the jaw. Commander Sullivan hoisted the man up and helped him to a medic. He spoke of looking up and seeing the USS *Arizona* rolling over with its belly up in flames as flames shot out its side. He saw sailors struggling in the water.

Commander Sullivan insists that his job isn't worthy of fame and that his contribution that day was simply the execution of duty. But through that humility I can't help but see a hero—a man as selfless as he is brave, a man who put the lives of others above his own, not just that day but for decades to come. You see, Commander Hal Sullivan went on to serve in both the Atlantic and the Pacific. He didn't retire from the Navy until almost 30 years after the attack of Pearl Harbor, on the exact same week his son entered West Point.

Even now, at age 96, Hal says he would still be in the Navy if they would let him. I am touched by that because the truth is Hal's country still needs him, maybe not on the deck of a ship, maybe not risking his life in the middle of the Pacific, but we need him all the same. It is through hearing stories such as his that our generation will find the courage to face its challenges—a courage that is uniquely American.

Pearl Harbor was not just a day of infamy; it was also a day that revealed the greatness of our ancestors. People such as Major Braddock, Chief Petty Officer Myrick, and Commander Sullivan—it is their blood that flows in the veins of this county that serves as our heritage and reveals our destiny.

I believe it is true, as Shakespeare famously wrote, that some are born great, some achieve greatness, and some have greatness thrust upon them. But for the ''greatest generation,'' it was all three.

Pearl Harbor was the day that greatness was thrust upon them, but it was over the years that followed that their greatness was achieved the only way greatness can be achieved—through blood, toil, tears, and sweat.

And their toil did not stop after the war was won. The world still looked to America—to our industrial power, our political leadership, and our military might—to restore global balance and maintain order while the wounds of mankind healed.

As Pope Pius XII said following the war:

> America has a genius for great and unselfish deeds. Into the hands of America God has placed the destiny of an afflicted mankind.

Well, I believe America still has that genius. I believe mankind remains afflicted and that its destiny remains largely in our hands. All around the world, those who yearn for freedom still turn their eyes towards our shores. They wonder if we see their suffering. They wonder if we hear their cries.

I am confident that our own generation will achieve greatness in this century. We will do so by remaining the world's beacon for freedom. That means preserving and extending the promise of the American dream here at home, and it means standing against evil and oppression where it rears its head around the world.

As did the ''greatest generation,'' our men and women in uniform today fight for a greater cause than themselves. Major Braddock said that if he could tell today's troops one thing, it would be: Don't give up, do what is right and, above all else, be proud of the work you are tasked with carrying out.

I second that sentiment because our children and grandchildren will stand on the shoulders of our generation. They will live in the world we leave behind, the same way we live in the world that was left for us.

So as we marked the 73rd anniversary of the attack on Pearl Harbor, I was grateful for all the tributes that took place throughout Florida over the

weekend. It is my prayer that America will take a moment to reflect on the meaning of that day.

Its meaning is not a relic of the past. It doesn't just belong to the ''greatest generation.'' It belongs to all of us. It was America's solemn call to action—not for a generation but for all time—a powerful reminder of our duty to our Nation, to each other, to our children, and to an afflicted mankind.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, are we in morning business now?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. LEAHY. Mr. President, I could not be a stronger supporter of efforts to prevent human trafficking. But we must offer comprehensive solutions that provide meaningful and reliable resources to support these survivors.

Just this Congress, I have led the reauthorization of the Trafficking Victims Protection Act—widely recognized as this country's most important tool in combatting human trafficking. The law reasserted the United States as a global leader in fighting trafficking by strengthening tools available to prosecutors and providing services for victims, including those victims here at home.

The Leahy-Crapo Violence Against Women Reauthorization Act also passed this Congress. That bill expanded the availability of grants to support victims of human trafficking, as well as sexual assault and domestic violence.

And now I am working to enact the Runaway and Homeless Youth and Trafficking Prevention Act; S. 2646. This bill authorizes the critical resources needed to provide shelter and services for the 1.6 million youth in this country who are homeless. Many of these young people are, or are at risk of becoming, victims of human trafficking.

It is time we put our money where our mouth is. We must reauthorize these existing programs that work. These children, whether in Vermont, Minnesota, or Texas, need a place to stay and be safe. And I will not leave these priorities behind for political reasons.

TRIBUTE TO DR. MICHAEL B. McCALL

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a good friend of mine and a renowned educator in Kentucky, Dr. Michael B. McCall. Dr. McCall has served as the president of the Kentucky Community and Technical College System, or KCTCS, since 1998, and he recently announced his retirement from that position. It would be difficult to overstate his success at the helm of Kentucky's statewide community and technical college system or the growth by leaps and bounds that KCTCS has seen under his tenure.

KCTCS was created by the Kentucky Postsecondary Education Improvement Act of 1997, which united all of the Commonwealth's community and technical colleges under one system to serve as a gateway to postsecondary education for all Kentuckians. Dr. McCall was named as the founding president in December 1998. Since then, he has overseen 16 colleges located on more than 70 campuses across the Bluegrass State.

Under Dr. McCall's leadership, KCTCS has become the largest provider of postsecondary education in Kentucky, representing 47.1 percent of all undergraduate college students. KCTCS serves over 92,000 students, and since 1998 the KCTCS Board of Regents has ratified or approved more than 700 programs that result in certificates, diplomas, or associate degrees.

KCTCS is also the State's largest provider of workforce training, serving more than 5,300 businesses and 52,000 employees annually. It is workforce training initiatives such as these that help develop Kentucky's labor force and therefore its economy.

KCTCS has also become Kentucky's largest provider of online learning, offering more than 77 online credentials. Thanks to Dr. McCall's virtual learning initiative known as KCTCS Online, online learners can pursue higher education at any time that is convenient for them.

Other KCTCS accomplishments achieved under Dr. McCall's tenure include the establishment of the North American Racing Academy, which is the first college-affiliated horse racing academy in the United States; the Kentucky Coal Academy; the Kentucky Fire Commission; and the Kentucky Board of Emergency Medical Services. It is clear that Dr. McCall has kept the interests and demands of Kentucky's students and businesses in mind while developing these programs.

Dr. McCall has been an educator and served in community and technical colleges for more than 40 years. Throughout his career, he has been recognized for his leadership and dedication to education. He was the recipient of Phi Theta Kappa's prestigious State Community College Director Award of Distinction.

Dr. McCall also received the National Council for Continuing Education and Training's National Leadership Award in 2005. In the same year the National Institute for Staff and Organizational Development honored him with their International Leadership Award. In 2004 Kentucky Monthly Magazine named him the ''Kentuckian of the Year.'' Dr. McCall also served as board chair of the American Association of Community Colleges, completing his tenure in 2006.

When KCTCS was first established, it set ambitious goals for improving the level of college attainment for Kentuckians. Thanks to Dr. McCall, KCTCS has met those goals.

Under the leadership of Dr. Michael B. McCall, KCTCS has become a remarkable community and technical college system in the United States, and it will reach even higher in the future. I ask my Senate colleagues to join me in congratulating Dr. McCall and wishing him well upon his retirement. He has certainly proved to be a great educator and a great friend to the Commonwealth of Kentucky.

USDA PILOT PROJECT FOR THE PROCUREMENT OF UNPROCESSED FRUITS AND VEGETABLES

Mr. WYDEN. Mr. President, for several years I have envisioned a way to give schools affordable and sustainable access to locally grown foods—a system that would benefit schools, children, and farmers alike. To make this a reality, I introduced the Pilot Project for the Procurement of Unprocessed Fruits and Vegetables as an amendment to the 2014 farm bill. I was very encouraged that the final bill included this pilot project and optimistic that my home State of Oregon could help lead the way—as it often does—by hosting one of the eight programs. That is why I am so pleased to say today Oregon was chosen to participate in the pilot project. This is a win for communities and school districts across Oregon who can now offer meals made with the locally grown produce we are famous for, everything from apples to zucchini, blueberries to tomatoes and everything in between.

This is a win for the local farmers who will gain new customers to buy their fruits and vegetables, and this is a win for the school children who will grow up knowing what fresh produce really tastes like.

This innovative and exciting project establishes a competitive pilot program with up to eight demonstration projects, each representing a different region of the country. These demonstration projects will help schools source healthy, local fruits and vegetables for the breakfasts, lunches, or snacks served to students. It is more important today than ever to ensure America's children have fresh, healthy eating options when they are increasingly exposed to unhealthy, processed foods. The partnerships that the pilot projects will surely grow will put money in the pockets of local farmers while also ensuring that our school kids are eating healthily. I look forward to seeing these projects grow and contribute to the healthy lives of our Nation's young men and women.

RURAL HERITAGE CONSERVATION EXTENSION ACT

Ms. COLLINS. Mr. President, I support efforts to provide permanent enhanced conservation tax incentives for family farmers, ranchers, and forest landowners who make charitable contributions of land for conservation purposes. As a cosponsor of the Rural Heritage Conservation Extension Act, S. 526, I am a strong supporter of these valuable tools for protecting significant natural and historic resources on privately owned lands.

These incentives expired at the end of 2013 and are among the so-called extenders—tax provisions that are routinely extended each time they expire. Making these provisions permanent would benefit wildlife, enhance hunting, fishing and shooting access, and keep working lands functioning and intact.

Specifically, the Rural Heritage Conservation Extension Act would permanently increase the allowable deduction for charitable contributions of property for conservation purposes. The maximum deduction for individuals would increase from 30 percent to 50 percent of adjusted gross income, AGI. Farmers and ranchers would be allowed a maximum deduction of up to 100 percent of AGI. The bill would also allow any unused deduction to be carried forward for up to 15 years to help donors receive the full benefit of their contribution.

When this incentive was in place, it supported donations of conservation easements in my home State of Maine. In 2012, a landowner donated a conservation easement on a 20-acre property in Machiasport, which is home to centuries-old cultural artifacts, including petroglyphs. In addition to being a spiritual site for Maine's Passamaquoddy tribe, this property allows people to explore the State's precolonial history and provides access for local fishermen to utilize valuable clam flats.

Another success story is from 2013 in Harpswell, where a landowner donated a conservation easement on a 44-acre island property in the heart of Casco Bay. The easement provides public access to a scenic peninsula where visitors can picnic, boat, and kayak. Due to this generous donation, Casco Bay is experiencing increased recreational use while also protecting critical habitats for many species of wildlife including shorebirds, herons, and bald eagles.

Continuing the enhanced conservation tax incentives would assist in the conservation of thousands of additional acres and provide a whole host of community benefits—protecting historical features, securing economic opportunities, enhancing recreational access, and preserving valuable wildlife habitat—in 2014 and beyond.

I urge my colleagues to support this important bill.

65TH ANNIVERSARY OF THE VOICE OF AMERICA'S UKRAINIAN SERVICE

Mr. CARDIN. Mr. President, for 65 years the Voice of America Ukrainian Service has been a vital source of comprehensive and unbiased information for the Ukrainian people.

During the Cold War, VOA's uncensored, truthful reporting of the news was a beacon of freedom for Ukrainians dominated by Soviet rule. Through VOA and broadcasts by other media outlets such as Radio Liberty, information-starved Ukrainians not only learned about life in the United States and the outside world but also about developments within Ukraine itself.

From VOA, Ukrainians discovered government-sponsored human rights violations taking place throughout the Soviet Union. They became aware of the many courageous Ukrainian human rights activists, including members of the Ukrainian Helsinki Group, who languished in Soviet prisons for daring to call upon the Soviet Government to abide by its Helsinki Final Act commitments. And when disaster struck at Chernobyl, Ukrainians looked to VOA to provide the objective information that the Soviet Government stubbornly refused to share.

Since Ukraine regained its independence in 1991, VOA's Ukrainian Service has been able to reach more Ukrainian citizens than ever before. Its daily news program ''Chas-Time'' is seen nightly on Ukraine's respected Channel 5, and its reporting is often featured on other major Ukrainian television channels.

VOA's audience has exploded in the year since the Maidan Revolution for Dignity and Russia's illegal annexation of Crimea and aggression in the southeast.

Thanks to its focus on developments in the United States and U.S.-Ukrainian relations, VOA's Ukrainian Service has been instrumental in bringing home to millions of Ukrainians U.S. policy, as well as the perspectives and activities of the Executive Branch, Congress, and NGOs with respect to Ukraine.

Ukraine confronts profound external and internal challenges in its quest for an independent, democratic, European future. As Chairman of the Helsinki Commission, I commend the ongoing and accelerating role of VOA's Ukrainian service, especially during this historic time.

TENNESSEE VALLEY AUTHORITY NOMINEES

Mr. CORKER. Mr. President, the Tennessee Valley Authority, or TVA, is a multibillion-a-year utility—one of the largest in the Nation. It plays a critical role in our economic development efforts in Tennessee by providing low-cost, reliable power that is essential to attracting, retaining, and growing jobs.

Strong, independent leadership at TVA is a priority for all Tennesseans, and the Senate is scheduled to vote tomorrow morning on two nominees to serve on the TVA board.

TVA board members' sole focus should be ensuring ratepayers throughout the Tennessee Valley have affordable, reliable power, and they must be free to operate the entity without undue influence from outside individuals.

While I respect the two nominees currently being considered, I have grown increasingly concerned by the nomination process and the potential influence—or perception of influence—that an outside investor who has proposed a multibillion-dollar project to TVA has had on this process. I have shared those concerns with the White House and the majority leader through several conversations.

I was particularly disappointed the majority leader announced he was moving forward with votes despite being aware of these issues—making it the first time TVA nominations have been confirmed by a rollcall vote since 1987.

While I still believe the selection of TVA board members and their confirmations deserve a closer look moving forward, today I received copies of letters from Virginia T. Lodge and Ronald A. Walter that address the concerns regarding the potential influence of an outside individual who has business dealings with TVA.

I ask unanimous consent that the full text of both letters be printed in the RECORD.

The nominees' forthright letters and their decision to recuse themselves helps ensure that there is no appearance of a lack of impartiality, and I plan to support both of their nominations.

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

DECEMBER 8, 2014.

Mr. RALPH E. RODGERS,
Executive Vice President and General Counsel, Designated Agency Ethics Official, Tennessee Valley Authority, Knoxville, Tennessee.

DEAR MR. RODGERS: This supplements my July 30, 2014, letter to you describing steps that I will take to avoid any actual or apparent conflict of interest, consistent with 5 C.F.R. §2635.502, in the event I am confirmed to serve on the Board of Directors of the Tennessee Valley Authority.

While I have neither made nor been asked to make any commitments on any projects involving TVA, during the pendency of my nomination I have had contact and discussions with Franklin Haney, with whom I am acquainted, and persons associated with him. I am aware that Mr. Haney has had business dealings with TVA in the past and has made significant business proposals to TVA that may extend into the future. In order to avoid even the appearance of a lack of impartiality, I will not participate personally and substantially in any particular matter in which Mr. Haney or any person on his behalf is a party or represents a party, or in which Mr. Haney, or his family, would have a direct or indirect financial interest.

Sincerely,

VIRGINIA T. LODGE.

DECEMBER 8, 2014.

Mr. RALPH E. RODGERS,
Executive Vice President & General Counsel, Designated Agency Ethics Official, Tennessee Valley Authority, Knoxville, Tennessee.

DEAR MR. RODGERS: This supplements my July 3, 2014, letter to you describing steps that I will take to avoid any actual or apparent conflict of interest, consistent with 5 C.F.R. §2635.502, in the event I am confirmed to serve on the Board of Directors of the Tennessee Valley Authority.

While I have neither made nor been asked to make any commitments on any projects involving TVA, during the pendency of my nomination I have had contact and discussions with Franklin Haney, with whom I am acquainted, and persons associated with him. I have become aware that Mr. Haney has had business dealings with TVA in the past and has made significant business proposals to TVA that may extend into the future. In order to avoid any appearance of a lack of impartiality, I will not participate personally and substantially in any particular matter in which Mr. Haney or any person on his behalf is a party or represents a party, or in which Mr. Haney, or his family, would have a direct or indirect financial interest.

Sincerely,

RONALD A. WALTER.

TRIBUTE TO MAX MAXFIELD

Mr. BARRASSO. Mr. President, in his Inaugural Address to the Nation in 2001, President George W. Bush said:

> We are bound by ideals that move us beyond our backgrounds, lift us above our interests, and teach us what it means to be citizens. Every child must be taught these principles. Every citizen must uphold them.

In Wyoming, we have a quality leader who has embraced these ideals and is committed to sharing them with future generations. It is a distinct honor to recognize my friend, Secretary of State Max Maxfield, for his lifetime of service as a dedicated public servant. I invite my colleagues to celebrate his contributions as he steps down after sharing over 47 years of experience with the people of Wyoming.

In America, we demand a great deal from our leaders. We expect that they will be wise, altruistic, and that they will carry the hearts of the people with them in all they do. Max has done all of this—and more. He has dedicated his career to helping others and furthering his vision for the success of Wyoming. In doing so, our State has thrived.

Max's career as a public servant is long and distinguished. Max worked for 23 years as the executive director of the YMCA in Casper. He also served as the head of the Wyoming Make-A-Wish Foundation. He then led the Wyoming Recreation Commission and 2 years later the Wyoming Department of Commerce. In 1998 Max was elected as the State auditor for the two terms and then in 2006 as the Wyoming secretary of state for two additional terms. With his passion for excellence and his pride in Wyoming, Max took great responsibility in his commitment to promoting growth and prosperity for all.

It is sometimes thought that talented leaders must sacrifice their own private pursuits for the good of the cause. Max has successfully demonstrated that it is possible to be a strong leader and still remain true to one's passions. Max and his wife Gayla have been lifelong advocates of giving back. Max has served on the boards of numerous charitable organizations. Among them, he is particularly passionate about helping children and animals. He currently serves as a board member of the Cheyenne Animal Shelter and in the past has worked with the Wyoming Congressional Award Program, Special Olympics, the Wyoming Children's Society, and Laramie County United Way. Max and Gayla have touched the lives of and positively impacted every person they have met.

Max Maxfield has long been a trustee for Wyoming, and his leadership has shaped the direction of our State. Indeed, Max and Gayla's contributions have benefited not only the governance of Wyoming but every community they have visited, every nonprofit organization they have supported, every friend and stranger they have met, and certainly every pet for which they have found a home. I trust that in his retirement Max will continue to remain active in the public sphere. While continuing to support causes that are near and dear to their hearts, Max and Gayla will enjoy quality time with their children, grandchildren, and beloved golden retrievers.

My wife, Bobbi, and I are honored to thank him for his service to the great State of Wyoming. Even more, we are blessed to call him our friend. Please join me in thanking Max Maxfield for his decades of service and wishing him the best as he embarks on the next chapter of his life.

ADDITIONAL STATEMENTS

TRIBUTE TO REBECCA HASLAM

• Mr. SANDERS. Mr. President, I wish to recognize a remarkable Vermonter, Rebecca Haslam, who is the recipient of Vermont's 2015 Teacher of the Year Award.

This award is a testament to Rebecca's dedication to her students' academic success and her work to promote the ideals of tolerance and diversity throughout the Burlington School District. Rebecca's leadership in education has helped encourage intellectual and personal growth in so many students. She has earned the respect of the community through her diligence in the classroom and for her innovative approach to learning.

Ms. Haslam's commitment to her students is unwavering, ''They have such a love of learning and they are joyful when they come to school,'' she explained recently. Rebecca provides a welcoming environment for students to learn, fostering their social, academic, and emotional development.

Ms. Haslam sets high expectations and provides the guidance needed in the classroom to ensure the success of all her students. Rebecca is committed to providing both a rigorous curriculum and a nurturing environment. Her academic expectations inspire students of all backgrounds and learning abilities to thrive.

Over the last few decades, Burlington's schools have welcomed students from all over the world, and for such a small city, the district's classrooms are among the most diverse in the country. Rebecca has drawn from her own childhood experiences in an effort to build bridges of understanding between students, faculty, and community members from different backgrounds. Rebecca serves as the Burlington School District's social studies and equity coach and works with teachers from around the district to incorporate the values of cultural competency in their lesson plans. These professional development sessions have served as valuable tools in capturing the interests of students and preparing them to be engaged citizens who prize equality in our increasingly diverse society.

Rebecca is a role model for all Vermonters. She uses her experiences to forge goals and serve as motivation for her students. The work that Rebecca does to create an atmosphere that is conducive to learning is commendable, and I would like to offer her warm congratulations on her award.•

TRIBUTE TO SIMON ''CY'' VINCENT AVARA

• Mr. CARDIN. Mr. President, the Beatles' song ''Penny Lane'' opens with lyrics about ''a barber showing photographs/Of every head he's had the pleasure to know/And all the people that come and go/Stop and say hello.'' They could have been describing my barber for over 30 years, Simon Vincent Avara, or ''Cy,'' as he was known to everyone. Cy passed away this Saturday at the age of 81. I would like to take this opportunity to pay tribute to a good friend and amazing man.

One might say that Cy Avara was born to be a barber. His parents Vincent and Mary were working class Italian-Americans. His father was a barber but was killed in a car accident when Cy was just 14. That did not deter Cy from following in his father's footsteps, however. He found an opportunity apprenticing for another West Baltimore barber and by the time he was just 16, he passed the examination to receive his master license. He was one of the youngest barbers in Maryland. While he was still 16, with just one year of high school under his belt, he opened his own barbershop with used equipment in a former funeral parlor. He charged 60 cents for a man's haircut and 40 cents for children.

A short time later, in 1953, Cy was drafted into the U.S. Army and honorably served our Nation in the Korean War. When he returned to civilian life, he attended cosmetology school—the

Baltimore Studio of Hair—to improve his skills when it came to cutting women's hair. As much as he enjoyed cutting and styling hair, however, his greatest satisfaction came from teaching others the same skill and giving people the chance to have a career and support themselves and their families. So Cy opened his own school in 1960, the Avara International Academy of Hair Design and Technology, in his southwest Baltimore neighborhood. That same year—when he was just 26—he also became a member of the Maryland State Board of Barber Examiners. A few years later, he became the youngest person ever elected to be national president of the Barber Examiners. He also served as secretary-treasurer of all union-affiliated barber schools in America and was president and founder of the Maryland Hair Designer's Association. In 1970, Cy opened his second barber school, Avara's Academy Of Hair Design, in Dundalk, MD. The two schools have trained well over 2,000 barber/stylists. In 2011, Cy was inducted into the National Barber Museum and Hall of Fame.

These accolades alone indicate that Cy lived a very successful life. But there was so much more to Cy. As a child, Cy was raised by his parents to appreciate his blessings and to help others who were less fortunate. For instance, his father gave haircuts to people who wanted to make a good impression so they could get a job; his mother provided food to those in need in their neighborhood. Cy never forgot these lessons in generosity. Starting in the mid-1960s, he became involved with St. Vincent's Center for Abused Children. Since then, once every month, he sent his barber students to St. Vincent's Center to cut the children's hair. He has also been a major contributor to the Ed Block Courage Award Foundation, which was started by one of his former barber students, Sam Lamantia, to honor professional football players who have overcome adversity and contributed to the betterment of their community. In the mid-1970s, Cy established a training program at the Maryland Correctional Institution in Hagerstown under the supervision of a master barber which helped students at the Institution receive credit toward the 1,200 hours required to obtain a license so that once they were released, they would have the opportunity to continue their training and obtain a job in the barber industry. Cy also travelled to Annapolis frequently to lobby on behalf of the integrity of the barber and cosmetology industry.

Cy was such an effective advocate for the industry that some of his children have followed in his footsteps. He saw his profession as a rewarding career opportunity for individuals from all walks of life. The important thing is to like people and to want to work hard. That is a pretty good description of Cy: he worked hard and he liked people, and made us feel welcome in his shop. But it was not hard work to him; it was his passion. He was extraordinarily skilled at his job.

I may have a little bit less hair than I did when I first started going to Cy, but I am going to miss my friend who served his country, community, and family with such devotion. I am going to miss the special banter that may only occur between a barber and his long-time customers. I will take solace in the fact that there are literally thousands of barbers and stylists who were trained at one of Cy's schools and are carrying on the tradition he inherited from his father. On behalf of the entire Senate, I would like to extend my condolences to his wife, Rita T. Avara; his sons, Michael, Thomas, and Lawrence; his daughter, Susan Avara Watson; his sister, Carmelita Silanskas; his eight grandchildren, Lauren, Michele, Rachael, Joshua, Victoria, Jaclyn, Christopher, and Elise; and all the other family and friends of Cy Avara too numerous to mention.●

MESSAGES FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5759. An act to establish a rule of construction clarifying the limitations on executive authority to provide certain forms of immigration relief.

H.R. 5771. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. LEAHY) announced that on today, December 8, 2014, he had signed the following enrolled bills, previously signed by the Speaker of the House:

S. 2040. An act to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes.

H.R. 43. An act to designate the facility of the United States Postal Service located at 14 Red River Avenue North in Cold Spring, Minnesota, as the ''Officer Tommy Decker Memorial Post Office''.

H.R. 451. An act to designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the ''Richard K. Salick Post Office''.

H.R. 669. An act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

H.R. 1391. An act to designate the facility of the United States Postal Service located at 25 South Oak Street in London, Ohio, as the ''London Fallen Veterans Memorial Post Office''.

H.R. 3085. An act to designate the facility of the United States Postal Service located at 3349 West 111th Street in Chicago, Illinois, as the ''Captain Herbert Johnson Memorial Post Office Building''.

H.R. 3375. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs to be constructed at 3141 Centennial Boulevard, Colorado Springs, Colorado, as the ''PFC Floyd K. Lindstrom Department of Veterans Affairs Clinic''.

H.R. 3682. An act to designate the community based outpatient clinic of the Department of Veterans Affairs located at 1961 Premier Drive in Mankato, Minnesota, as the ''Lyle C. Pearson Community Based Outpatient Clinic''.

H.R. 3957. An act to designate the facility of the United States Postal Service located at 218–10 Merrick Boulevard in Springfield Gardens, New York, as the ''Cynthia Jenkins Post Office Building''.

H.R. 4189. An act to designate the facility of the United States Postal Service located at 4000 Leap Road in Hilliard, Ohio, as the ''Master Sergeant Shawn T. Hannon, Master Sergeant Jeffrey J. Rieck and Veterans Memorial Post Office Building''.

H.R. 4443. An act to designate the facility of the United States Postal Service located at 90 Vermilyea Avenue, in New York, New York, as the ''Corporal Juan Mariel Alcantara Post Office Building''.

H.R. 4919. An act to designate the facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, as the ''Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office''.

H.R. 4924. An act to direct the Secretary of the Interior to enter into the Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, to provide for the lease of certain land located within Planet Ranch on the Bill Williams River in the State of Arizona to benefit the Lower Colorado River Multi-Species Conservation Program, and to provide for the settlement of specific water rights claims in the Bill Williams River watershed in the State of Arizona.

H.R. 5069. An act to amend the Migratory Bird Hunting and Conservation Stamp Act to increase in the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes.

H.R. 5106. An act to designate the facility of the United States Postal Service located at 100 Admiral Callaghan Lane in Vallejo, California, as the ''Philmore Graham Post Office Building''.

H.R. 5681. An act to provide for the approval of the Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

At 3:29 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 121. Concurrent resolution providing for a correction in the enrollment of the bill H.R. 3979.

The message further announced that the House agree to the amendment of the Senate to the bill (H.R. 3979) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care

Act, with amendment, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

At 6:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 4812. An act to amend title 49, United States Code, to require the Administrator of the Transportation Security Administration to establish a process for providing expedited and dignified passenger screening services for veterans traveling to visit war memorials built and dedicated to honor their service, and for other purposes.

H.R. 5108. An act to establish the Law School Clinic Certification Program of the United States Patent and Trademark Office, and for other purposes.

The bills were subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 5759. An act to establish a rule of construction clarifying the limitations on executive authority to provide certain forms of immigration relief.

H.R. 5771. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 8, 2014, she had presented to the President of the United States the following enrolled bill:

S. 2040. An act to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–8004. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Highly Pathogenic Avian Influenza'' ((RIN0579–AC36) (Docket No. APHIS–2006–0074)) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8005. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County Oregon; Modification of Container Requirements'' (Docket No. AMS–FV–14–0046; FV14–945–2 FIR) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8006. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Process for Establishing Rates Charged for AMS Services'' ((RIN0581–AD36) (Docket No. AMS–LPS–13–0050)) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8007. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mango Promotion, Research, and Information Order; Section 610 Review'' (Docket No. AMS–FV–14–0047) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8008. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Avocados Grown in South Florida and Imported Avocados; Clarification of the Avocado Grade Requirements'' (Docket No. AMS–FV–13–0069; FV13–915–3 FR) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8009. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Charles H. Jacoby, Jr., United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–8010. A communication from the Secretary of the Army, transmitting, pursuant to law, a report on the permanent reduction of sizable numbers of members of the Armed Forces at Fort Campbell, Kentucky; to the Committee on Armed Services.

EC–8011. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (International Security Affairs), Department of Defense, received in the Office of the President of the Senate on December 1, 2014; to the Committee on Armed Services.

EC–8012. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting, pursuant to law, the fiscal year 2014 annual report on the Regional Defense Combating Terrorism Fellowship Program; to the Committee on Armed Services.

EC–8013. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Report on Efficient Utilization of Department of Defense Real Property''; to the Committee on Armed Services.

EC–8014. A communication from the Assistant Secretary of Defense (Homeland Defense and Global Security), transmitting, pursuant to law, a report entitled ''Report on Proposed Obligations for Cooperative Threat Reduction''; to the Committee on Armed Services.

EC–8015. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2014–0002)) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–8016. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Financial Market Utilities'' (RIN7100–AE09) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–8017. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Aging Management of Loss of Coating or Lining Integrity for Internal Coatings/Linings on In-Scope Piping, Piping Components, Heat Exchangers, and Tanks'' (NRC–2014–0004) received in the Office of the President of the Senate on December 2, 2014; to the Committee on Environment and Public Works.

EC–8018. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Strategic Petroleum Reserve (SPR) Test Sale 2014''; to the Committee on Energy and Natural Resources.

EC–8019. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''American Energy Manufacturing Technical Corrections Act of 2012—Section 8 Best Practices for Advanced Metering''; to the Committee on Energy and Natural Resources.

EC–8020. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Eligibility for Minimum Essential Coverage Under Pregnancy-Based Medicaid and CHIP Programs'' (Notice 2014–71) received in the Office of the President of the Senate on December 3, 2014; to the Committee on Finance.

EC–8021. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Qualified Transportation Fringe'' (Rev. Rul. 2014–32) received in the Office of the President of the Senate on December 3, 2014; to the Committee on Finance.

EC–8022. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Disproportionate Share Hospital Payments—Uninsured Definition'' (RIN0938–AQ37) received in the Office of the President of the Senate on December 3, 2014; to the Committee on Finance.

EC–8023. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Requirements for the Medicare Incentive Reward Program and Provider Enrollment'' ((RIN0938–AP01) (CMS–6045-F)) received in the Office of the President of the Senate on December 3, 2014; to the Committee on Finance.

EC–8024. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of One-Per-Year Limit on IRA Rollovers'' (Announcement 2014–32) received in the Office of the President of the Senate on December 3, 2014; to the Committee on Finance.

EC–8025. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary

of Defense (Logistics and Materiel Readiness), Department of Defense, received in the Office of the President of the Senate on December 1, 2014; to the Committee on Armed Services.

EC–8026. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the text of an agreement between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office; to the Committee on Foreign Relations.

EC–8027. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the Benjamin A. Gilman International Scholarship Program for 2014; to the Committee on Foreign Relations.

EC–8028. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2014–0147—2014–0161); to the Committee on Foreign Relations.

EC–8029. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–8030. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 14–112); to the Committee on Foreign Relations.

EC–8031. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–064); to the Committee on Foreign Relations.

EC–8032. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–109); to the Committee on Foreign Relations.

EC–8033. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–102); to the Committee on Foreign Relations.

EC–8034. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–107); to the Committee on Foreign Relations.

EC–8035. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–122); to the Committee on Foreign Relations.

EC–8036. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Labeling; Calorie Labeling of Articles of Food in Vending Machines'' ((RIN0910–AG56) (Docket No. FDA–2011–F–0171)) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–8037. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Food Establishments'' ((RIN0910–AG57) (Docket No. FDA–2011–F–0172)) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–8038. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Thornyhead Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XD626) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8039. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Mexico'' (RIN0648–XD610) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8040. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfly Fishery; Notification of Butterfish Quota Transfer'' (RIN0648–XD603) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8041. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer'' (RIN0648–XD584) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8042. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BE59) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8043. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD624) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8044. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD588) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8045. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Commission's Rules to Provide Spectrum for the Operation of Medical Body Area Networks'' ((ET Docket No. 08–59) (FCC 14–124)) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8046. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; U.S. Territorial Catch and Fishing Effort Limits'' (RIN0648–BD46) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8047. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions'' ((ET Docket Nos. 13–26 and 14–14) (FCC 14–157)) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8048. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD623) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8049. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8050. A communication from the Deputy Inspector General, Office of Inspector General, Department of the Interior, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8051. A communication from the Acting Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8052. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Administrator's Semiannual Management Report to Congress for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8053. A communication from the Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8054. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2014 through September 30, 2014; to the Committee on

Homeland Security and Governmental Affairs.

EC–8055. A communication from the Chief Operating Officer and Acting Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8056. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8057. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8058. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8059. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8060. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8061. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8062. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8063. A communication from the Chairman, National Endowment for the Arts, transmitting, pursuant to law, the Endowment's Annual Financial Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8064. A communication from the Secretary of Labor, transmitting, pursuant to law, the fiscal year 2014 Agency Financial Report for the Department of Labor; to the Committee on Homeland Security and Governmental Affairs.

EC–8065. A communication from the Chairman, Consumer Product Safety Commission, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8066. A communication from the Chairman of the National Capital Planning Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8067. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendment: Boarding of Vessels at CBP Ports'' (CBP Dec. 14–11) received in the Office of the President of the Senate on November 20, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8068. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''ANC 1A Did Not Fully Comply with All Legal Requirements''; to the Committee on Homeland Security and Governmental Affairs.

EC–8069. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8070. A communication from the Acting Director, Office of the Federal Register, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Incorporation by Reference'' ((RIN3095–AB78) (Docket No. OFR–2013–0001)) received in the Office of the President of the Senate on December 1, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8071. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8072. A communication from the Associate General Counsel for General Law, Office of the General Counsel, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Management, received in the Office of the President of the Senate on December 1, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8073. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8074. A communication from the Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's Performance and Accountability Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8075. A communication from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–8076. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (International Markets and Developments), received in the Office of the President of the Senate on December 1, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–8077. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species; Designation of Critical Habitat for the Puget Sound/Georgia Basin Distinct Populations Segments of Yelloweye Rockfish, Canary Rockfish and Bocaccio'' (RIN0648–BC76) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2014; to the Committee on Environment and Public Works.

EC–8078. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Standards of Ethical Conduct for Employees of the Department of the Treasury'' (5 CFR Part 3101) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2014; to the Committee on Finance.

EC–8079. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Domestic Finance), received in the Office of the President of the Senate on December 1, 2014; to the Committee on Finance.

EC–8080. A communication from the Deputy General Counsel, Office of Investment and Innovation, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Investment Companies—Investments in Passive Businesses'' (RIN3245–AG57) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Small Business and Entrepreneurship.

EC–8081. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Report on Adjustments of Status Granted Under Section 13 of the Act of September 11, 1957''; to the Committee on the Judiciary.

EC–8082. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to expenditures from the Pershing Hall Revolving Fund for fiscal year 2014; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–363. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress to direct the Comptroller General to complete a full audit of the Board of Governors of the Federal Reserve System and the federal reserve banks; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 395

Whereas, Created more than a hundred years ago, the Federal Reserve is an independent federal agency. As leaders of the central bank of the United States, the Federal Reserve's board of governors have enacted monetary policy that influences our nation's money and credit conditions, supervised and regulated banks and other financial institutions, and provided financial services to the U.S. and foreign governments. Through these powers, and with the help of the federal reserve banks, this agency has considerable influence on the well-being of our nation's economy, the economy of the world, and the day-to-day lives of people everywhere; and

Whereas, American citizens have entrusted the Congress of the United States with overseeing all federal agencies, and Congress must hold the Federal Reserve accountable. However, under the current law, the Comptroller General may audit the Federal Reserve only if written consent has been given,

and even then, the purview of audits of the board of governors and federal reserve banks is limited. Under the direction of the Comptroller General, any General Accountability Office audit is prohibited by law from auditing the board or federal reserve banks' transaction history with foreign nations or information related to monetary policy decisions, including discount window operations, open market operations, securities credit, and interest on deposits; and

Whereas, The American public should receive the accountability and transparency they deserve from their government. Providing the Comptroller General the authority and directive to thoroughly audit the Federal Reserve will allow for better oversight and lift the cloak of secrecy off this highly-profitable and influential government institution. Congress must take the actions necessary to fulfill its oversight responsibility: Now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to direct the Comptroller General to complete a full audit of the Board of Governors of the Federal Reserve System and the federal reserve banks; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2946. A bill to provide improved water, sanitation, and hygiene programs for high priority developing countries, and for other purposes (Rept. No. 113–286).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 2520, a bill to improve the Freedom of Information Act (Rept. No. 113–287).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 429. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes.

S. 2022. A bill to establish scientific standards and protocols across forensic disciplines, and for other purposes.

S. 2094. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 2482. A bill to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

S. 2484. A bill to implement the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean, as adopted at Auckland on November 14, 2009, and for other purposes.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2485. A bill to implement the Amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, as adopted at Lisbon on September 28, 2007.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2777. A bill to establish the Surface Transportation Board as an independent establishment, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. SANDERS for the Committee on Veterans' Affairs.

*Leigh A. Bradley, of Virginia, to be General Counsel, Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. 2987. A bill to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 2988. A bill to amend the Congressional Budget Act of 1974 to establish a Federal regulatory budget and to impose cost controls on that budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself and Mr. HEINRICH):

S. 2989. A bill to promote Federal-State partnerships for developing regional energy strategies and plans to mitigate risks in changing energy systems, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN:

S. Res. 595. A resolution recognizing Nobel Laureates Kailash Satyarthi and Malala Yousafzai for their efforts to end the financial exploitation of children and to ensure the right of all children to an education; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 313

At the request of Mr. CASEY, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 641

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 1249

At the request of Mr. BLUMENTHAL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 2176

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2176, a bill to revise reporting requirements under the Patient Protection and Affordable Care Act to preserve the privacy of individuals, and for other purposes.

S. 2581

At the request of Mr. NELSON, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2581, a bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

S. 2660

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2660, a bill to amend the Internal Revenue Code of 1986 to clarify the special rules for accident and health plans of certain governmental entities, and for other purposes.

S. 2723

At the request of Mr. FRANKEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2723, a bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit.

S. 2964

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2964, a bill to extend the trade adjustment assistance program, and for other purposes.

S. CON. RES. 38

At the request of Ms. MIKULSKI, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.

Con. Res. 38, a concurrent resolution expressing the sense of Congress that Warren Weinstein should be returned home to his family.

S. RES. 578

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Res. 578, a resolution supporting the role of the United States in ensuring children in the world's poorest countries have access to vaccines and immunization through Gavi, the Vaccine Alliance.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 595—RECOGNIZING NOBEL LAUREATES KAILASH SATYARTHI AND MALALA YOUSAFZAI FOR THEIR EFFORTS TO END THE FINANCIAL EXPLOITATION OF CHILDREN AND TO ENSURE THE RIGHT OF ALL CHILDREN TO AN EDUCATION

Mr. HARKIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 595

Whereas on October 10, 2014, the Norwegian Nobel Committee awarded the 2014 Nobel Peace Prize to Kailash Satyarthi and Malala Yousafzai;

Whereas the International Labour Organization estimates that, worldwide, 168,000,000 children are exploited financially, with 85,000,000 children working in very hazardous environments and deprived of an education;

Whereas the United Nations Educational, Scientific and Cultural Organization estimates that 121,000,000 children are not in school;

Whereas Kailash Satyarthi has personally rescued more than 82,000 children from the worst forms of child labor;

Whereas Malala Yousafzai has promoted education for girls in Pakistan since she was 11 years old and is an advocate for worldwide access to education;

Whereas Kailash Satyarthi has endured threats on his life as a result of such rescue efforts; and

Whereas the Taliban attempted to kill Malala Yousafzai on October 9, 2012, as a result of her efforts to encourage more girls to attend school: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Nobel Laureates Kailash Satyarthi and Malala Yousafzai as symbols of peace and advocates for ending the financial exploitation of children and for the right of all children to an education;

(2) commends all individuals working around the world to end the scourge of child slavery and to advance education for all children;

(3) recognizes the challenges that remain in ending the financial exploitation of children and providing access to an education for all children;

(4) urges all governments, civil society organizations, businesses, and individuals to unite in the common purpose of protecting children from losing their childhoods as well as their futures; and

(5) recognizes the dedication and commitment to freedom, the rights of children, and the endurance of the human spirit, demonstrated by all individuals who make sacrifices to build a more peaceful world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3974. Mr. REID (for Mr. MENENDEZ) proposed an amendment to the bill S. 2142, to impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes.

SA 3975. Mr. REID (for Mr. CARPER (for himself and Mr. COBURN)) proposed an amendment to the bill S. 2521, to amend chapter 35 of title 44, United States Code, to provide for reform to Federal information security.

SA 3976. Mr. REID (for Mr. PAUL) proposed an amendment to the bill H.R. 1281, to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

TEXT OF AMENDMENTS

SA 3974. Mr. REID (for Mr. MENENDEZ) proposed an amendment to the bill S. 2142, to impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Venezuela Defense of Human Rights and Civil Society Act of 2014''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Central Bank of Venezuela and the National Statistical Institute of Venezuela stated that the annual inflation rate in Venezuela in 2013 was 56.30, the highest level of inflation in the Western Hemisphere and the third highest level of inflation in the world behind South Sudan and Syria.

(2) The Central Bank of Venezuela and the Government of Venezuela have imposed a series of currency controls that has exacerbated economic problems and, according to the World Economic Forum, has become the most problematic factor for doing business in Venezuela.

(3) The Central Bank of Venezuela declared that the scarcity index of Venezuela reached 29.4 percent in March 2014, which signifies that fewer than one in 4 basic goods is unavailable at any given time. The Central Bank has not released any information on the scarcity index since that time.

(4) Since 1999, violent crime in Venezuela has risen sharply and the Venezuelan Violence Observatory, an independent nongovernmental organization, found the national per capita murder rate to be 79 per 100,000 people in 2013.

(5) The international nongovernmental organization Human Rights Watch recently stated, ''Under the leadership of President Chàvez and now President Maduro, the accumulation of power in the executive branch and the erosion of human rights guarantees have enabled the government to intimidate, censor, and prosecute its critics.''.

(6) The Country Reports on Human Rights Practices for 2013 of the Department of State maintained that in Venezuela ''the government did not respect judicial independence or permit judges to act according to the law without fear of retaliation'' and ''the government used the judiciary to intimidate and selectively prosecute political, union, business, and civil society leaders who were critical of government policies or actions''.

(7) The Government of Venezuela has detained foreign journalists and threatened and expelled international media outlets operating in Venezuela, and the international nongovernmental organization Freedom House declared that Venezuela's ''media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric by the government is common''.

(8) Since February 4, 2014, the Government of Venezuela has responded to antigovernment protests with violence and killings perpetrated by its public security forces.

(9) In May 2014, Human Rights Watch found that the unlawful use of force perpetrated against antigovernment protesters was ''part of a systematic practice by the Venezuelan security forces''.

(10) As of September 1, 2014, 41 people had been killed, approximately 3,000 had been arrested unjustly, and more than 150 remained in prison and faced criminal charges as a result of antigovernment demonstrations throughout Venezuela.

(11) Opposition leader Leopoldo Lopez was arrested on February 18, 2014, in relation to the protests and was unjustly charged with criminal incitement, conspiracy, arson, and property damage. Since his arrest, Lopez has been held in solitary confinement and has been denied 58 out of 60 of his proposed witnesses at his ongoing trial.

(12) As of September 1, 2014, not a single member of the public security forces of the Government of Venezuela had been held accountable for acts of violence perpetrated against antigovernment protesters.

SEC. 3. SENSE OF CONGRESS REGARDING ANTIGOVERNMENT PROTESTS IN VENEZUELA AND THE NEED TO PREVENT FURTHER VIOLENCE IN VENEZUELA.

It is the sense of Congress that—

(1) the United States aspires to a mutually beneficial relationship with Venezuela based on respect for human rights and the rule of law and a functional and productive relationship on issues of public security, including counternarcotics and counterterrorism;

(2) the United States supports the people of Venezuela in their efforts to realize their full economic potential and to advance representative democracy, human rights, and the rule of law within their country;

(3) the chronic mismanagement by the Government of Venezuela of its economy has produced conditions of economic hardship and scarcity of basic goods and foodstuffs for the people of Venezuela;

(4) the failure of the Government of Venezuela to guarantee minimal standards of public security for its citizens has led the country to become one of the most violent and corrupt in the world;

(5) the Government of Venezuela continues to take steps to remove checks and balances on the executive, politicize the judiciary, undermine the independence of the legislature through use of executive decree powers, persecute and prosecute its political opponents, curtail freedom of the press, and limit the free expression of its citizens;

(6) Venezuelans, responding to ongoing economic hardship, high levels of crime and violence, and the lack of basic political rights and individual freedoms, have turned out in demonstrations in Caracas and throughout the country to protest the failure of the Government of Venezuela to protect the political and economic well-being of its citizens; and

(7) the repeated use of violence perpetrated by the National Guard and security personnel of Venezuela, as well as persons acting on behalf of the Government of Venezuela, against antigovernment protesters

that began on February 4, 2014, is intolerable and the use of unprovoked violence by protesters is also a matter of serious concern.

SEC. 4. UNITED STATES POLICY TOWARD VENEZUELA.

It is the policy of the United States—

(1) to support the people of Venezuela in their aspiration to live under conditions of peace and representative democracy as defined by the Inter-American Democratic Charter of the Organization of American States;

(2) to work in concert with the other member states within the Organization of American States, as well as the countries of the European Union, to ensure the peaceful resolution of the current situation in Venezuela and the immediate cessation of violence against antigovernment protestors;

(3) to hold accountable government and security officials in Venezuela responsible for or complicit in the use of force in relation to antigovernment protests and similar future acts of violence; and

(4) to continue to support the development of democratic political processes and independent civil society in Venezuela.

SEC. 5. SANCTIONS ON PERSONS RESPONSIBLE FOR VIOLENCE IN VENEZUELA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person, including any current or former official of the Government of Venezuela or any person acting on behalf of that Government, that the President determines—

(1) has perpetrated, or is responsible for ordering or otherwise directing, significant acts of violence or serious human rights abuses in Venezuela against persons associated with the antigovernment protests in Venezuela that began on February 4, 2014;

(2) has ordered or otherwise directed the arrest or prosecution of a person in Venezuela primarily because of the person's legitimate exercise of freedom of expression or assembly; or

(3) has knowingly materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services in support of, the commission of acts described in paragraph (1) or (2).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(e) TERMINATION.—The requirement to impose sanctions under this section shall terminate on December 31, 2016.

(f) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given that term in section 5312 of title 31, United States Code.

(3) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(4) GOOD.—The term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(5) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) MATERIALLY ASSISTED.—The term ''materially assisted'' means the provision of assistance that is significant and of a kind directly relevant to acts described in paragraph (1) or (2) of subsection (a).

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 6. REPORT ON BROADCASTING, INFORMATION DISTRIBUTION, AND CIRCUMVENTION TECHNOLOGY DISTRIBUTION IN VENEZUELA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors (in this section referred to as the ''Board'') shall submit to Congress a report that includes—

(1) a thorough evaluation of the governmental, political, and technological obstacles faced by the people of Venezuela in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs;

(2) an assessment of current efforts relating to broadcasting, information distribution, and circumvention technology distribution in Venezuela, by the United States Government and otherwise; and

(3) a strategy for expanding such efforts in Venezuela, including recommendations for additional measures to expand upon current efforts.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the current level of Federal funding dedicated to broadcasting, information distribution, and circumvention technology distribution in Venezuela by the Board before the date of the enactment of this Act;

(2) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Venezuela; and

(3) recommendations for increasing broadcasting, information distribution, and circumvention technology distribution in Venezuela.

SA 3975. Mr. REID (for Mr. CARPER (for himself and Mr. COBURN)) proposed an amendment to the bill S. 2521, to amend chapter 35 of title 44, United States Code, to provide for reform to Federal information security; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Information Security Modernization Act of 2014''.

SEC. 2. FISMA REFORM.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''§ 3551. Purposes

''The purposes of this subchapter are to—

''(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

''(2) recognize the highly networked nature of the current Federal computing environment and provide effective governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities;

''(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

''(4) provide a mechanism for improved oversight of Federal agency information security programs, including through automated security tools to continuously diagnose and improve security;

''(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information infrastructures important to the national defense and economic security of the nation that are designed, built, and operated by the private sector; and

''(6) recognize that the selection of specific technical hardware and software information

security solutions should be left to individual agencies from among commercially developed products.

"§ 3552. Definitions

''(a) IN GENERAL.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

''(b) ADDITIONAL DEFINITIONS.—As used in this subchapter:

''(1) The term 'binding operational directive' means a compulsory direction to an agency that—

''(A) is for purposes of safeguarding Federal information and information systems from a known or reasonably suspected information security threat, vulnerability, or risk;

''(B) shall be in accordance with policies, principles, standards, and guidelines issued by the Director; and

''(C) may be revised or repealed by the Director if the direction issued on behalf of the Director is not in accordance with policies and principles developed by the Director.

''(2) The term 'incident' means an occurrence that—

''(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or

''(B) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies.

''(3) The term 'information security' means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

''(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

''(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

''(C) availability, which means ensuring timely and reliable access to and use of information.

''(4) The term 'information technology' has the meaning given that term in section 11101 of title 40.

''(5) The term 'intelligence community' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(6)(A) The term 'national security system' means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

''(i) the function, operation, or use of which—

''(I) involves intelligence activities;

''(II) involves cryptologic activities related to national security;

''(III) involves command and control of military forces;

''(IV) involves equipment that is an integral part of a weapon or weapons system; or

''(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

''(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

''(B) Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

''(7) The term 'Secretary' means the Secretary of Homeland Security.

"§ 3553. Authority and functions of the Director and the Secretary

''(a) DIRECTOR.—The Director shall oversee agency information security policies and practices, including—

''(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

''(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(A) information collected or maintained by or on behalf of an agency; or

''(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(3) ensuring that the Secretary carries out the authorities and functions under subsection (b);

''(4) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

''(5) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements; and

''(6) coordinating information security policies and procedures with related information resources management policies and procedures.

''(b) SECRETARY.—The Secretary, in consultation with the Director, shall administer the implementation of agency information security policies and practices for information systems, except for national security systems and information systems described in paragraph (2) or (3) of subsection (e), including—

''(1) assisting the Director in carrying out the authorities and functions under paragraphs (1), (2), (3), (5), and (6) of subsection (a);

''(2) developing and overseeing the implementation of binding operational directives to agencies to implement the policies, principles, standards, and guidelines developed by the Director under subsection (a)(1) and the requirements of this subchapter, which may be revised or repealed by the Director if the operational directives issued on behalf of the Director are not in accordance with policies, principles, standards, and guidelines developed by the Director, including—

''(A) requirements for reporting security incidents to the Federal information security incident center established under section 3556;

''(B) requirements for the contents of the annual reports required to be submitted under section 3554(c)(1);

''(C) requirements for the mitigation of exigent risks to information systems; and

''(D) other operational requirements as the Director or Secretary, in consultation with the Director, may determine necessary;

''(3) monitoring agency implementation of information security policies and practices;

''(4) convening meetings with senior agency officials to help ensure effective implementation of information security policies and practices;

''(5) coordinating Government-wide efforts on information security policies and practices, including consultation with the Chief Information Officers Council established under section 3603 and the Director of the National Institute of Standards and Technology;

''(6) providing operational and technical assistance to agencies in implementing policies, principles, standards, and guidelines on information security, including implementation of standards promulgated under section 11331 of title 40, including by—

''(A) operating the Federal information security incident center established under section 3556;

''(B) upon request by an agency, deploying technology to assist the agency to continuously diagnose and mitigate against cyber threats and vulnerabilities, with or without reimbursement;

''(C) compiling and analyzing data on agency information security; and

''(D) developing and conducting targeted operational evaluations, including threat and vulnerability assessments, on the information systems; and

''(7) other actions as the Director or the Secretary, in consultation with the Director, may determine necessary to carry out this subsection.

''(c) REPORT.—Not later than March 1 of each year, the Director, in consultation with the Secretary, shall submit to Congress a report on the effectiveness of information security policies and practices during the preceding year, including—

''(1) a summary of the incidents described in the annual reports required to be submitted under section 3554(c)(1), including a summary of the information required under section 3554(c)(1)(A)(iii);

''(2) a description of the threshold for reporting major information security incidents;

''(3) a summary of the results of evaluations required to be performed under section 3555;

''(4) an assessment of agency compliance with standards promulgated under section 11331 of title 40; and

''(5) an assessment of agency compliance with data breach notification policies and procedures issued by the Director.

''(d) NATIONAL SECURITY SYSTEMS.—Except for the authorities and functions described in subsection (a)(5) and subsection (c), the authorities and functions of the Director and the Secretary under this section shall not apply to national security systems.

''(e) DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2) and to the Director of National Intelligence in the case of systems described in paragraph (3).

''(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

''(3) The systems described in this paragraph are systems that are operated by an element of the intelligence community, a contractor of an element of the intelligence community, or another entity on behalf of

an element of the intelligence community that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of an element of the intelligence community.

''(f) CONSIDERATION.—

''(1) IN GENERAL.—In carrying out the responsibilities under subsection (b), the Secretary shall consider any applicable standards or guidelines developed by the National Institute of Standards and Technology and issued by the Secretary of Commerce under section 11331 of title 40.

''(2) DIRECTIVES.—The Secretary shall—

''(A) consult with the Director of the National Institute of Standards and Technology regarding any binding operational directive that implements standards and guidelines developed by the National Institute of Standards and Technology; and

''(B) ensure that binding operational directives issued under subsection (b)(2) do not conflict with the standards and guidelines issued under section 11331 of title 40.

''(3) RULE OF CONSTRUCTION.—Nothing in this subchapter shall be construed as authorizing the Secretary to direct the Secretary of Commerce in the development and promulgation of standards and guidelines under section 11331 of title 40.

''(g) EXERCISE OF AUTHORITY.—To ensure fiscal and policy consistency, the Secretary shall exercise the authority under this section subject to direction by the President, in coordination with the Director.

''§ 3554. Federal agency responsibilities

''(a) IN GENERAL.—The head of each agency shall—

''(1) be responsible for—

''(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(i) information collected or maintained by or on behalf of the agency; and

''(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

''(i) information security standards promulgated under section 11331 of title 40;

''(ii) operational directives developed by the Secretary under section 3553(b);

''(iii) policies and procedures issued by the Director; and

''(iv) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

''(C) ensuring that information security management processes are integrated with agency strategic, operational, and budgetary planning processes;

''(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

''(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information systems;

''(B) determining the levels of information security appropriate to protect such information and information systems in accordance with standards promulgated under section 11331 of title 40, for information security classifications and related requirements;

''(C) implementing policies and procedures to cost-effectively reduce risks to an acceptable level; and

''(D) periodically testing and evaluating information security controls and techniques to ensure that they are effectively implemented;

''(3) delegate to the agency Chief Information Officer established under section 3506 (or comparable official in an agency not covered by such section) the authority to ensure compliance with the requirements imposed on the agency under this subchapter, including—

''(A) designating a senior agency information security officer who shall—

''(i) carry out the Chief Information Officer's responsibilities under this section;

''(ii) possess professional qualifications, including training and experience, required to administer the functions described under this section;

''(iii) have information security duties as that official's primary duty; and

''(iv) head an office with the mission and resources to assist in ensuring agency compliance with this section;

''(B) developing and maintaining an agencywide information security program as required by subsection (b);

''(C) developing and maintaining information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 3553 of this title and section 11331 of title 40;

''(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

''(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

''(4) ensure that the agency has trained personnel sufficient to assist the agency in complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines;

''(5) ensure that the agency Chief Information Officer, in coordination with other senior agency officials, reports annually to the agency head on the effectiveness of the agency information security program, including progress of remedial actions;

''(6) ensure that senior agency officials, including chief information officers of component agencies or equivalent officials, carry out responsibilities under this subchapter as directed by the official delegated authority under paragraph (3); and

''(7) ensure that all personnel are held accountable for complying with the agencywide information security program implemented under subsection (b).

''(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agency-wide information security program to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

''(1) periodic assessments of the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of information and information systems that support the operations and assets of the agency, which may include using automated tools consistent with standards and guidelines promulgated under section 11331 of title 40;

''(2) policies and procedures that—

''(A) are based on the risk assessments required by paragraph (1);

''(B) cost-effectively reduce information security risks to an acceptable level;

''(C) ensure that information security is addressed throughout the life cycle of each agency information system; and

''(D) ensure compliance with—

''(i) the requirements of this subchapter;

''(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated under section 11331 of title 40;

''(iii) minimally acceptable system configuration requirements, as determined by the agency; and

''(iv) any other applicable requirements, including standards and guidelines for national security systems issued in accordance with law and as directed by the President;

''(3) subordinate plans for providing adequate information security for networks, facilities, and systems or groups of information systems, as appropriate;

''(4) security awareness training to inform personnel, including contractors and other users of information systems that support the operations and assets of the agency, of—

''(A) information security risks associated with their activities; and

''(B) their responsibilities in complying with agency policies and procedures designed to reduce these risks;

''(5) periodic testing and evaluation of the effectiveness of information security policies, procedures, and practices, to be performed with a frequency depending on risk, but no less than annually, of which such testing—

''(A) shall include testing of management, operational, and technical controls of every information system identified in the inventory required under section 3505(c);

''(B) may include testing relied on in an evaluation under section 3555; and

''(C) shall include using automated tools, consistent with standards and guidelines promulgated under section 11331 of title 40;

''(6) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

''(7) procedures for detecting, reporting, and responding to security incidents, which—

''(A) shall be consistent with the standards and guidelines described in section 3556(b);

''(B) may include using automated tools; and

''(C) shall include—

''(i) mitigating risks associated with such incidents before substantial damage is done;

''(ii) notifying and consulting with the Federal information security incident center established in section 3556; and

''(iii) notifying and consulting with, as appropriate—

''(I) law enforcement agencies and relevant Offices of Inspector General and Offices of General Counsel;

''(II) an office designated by the President for any incident involving a national security system;

''(III) for a major incident, the committees of Congress described in subsection (c)(1)—

''(aa) not later than 7 days after the date on which there is a reasonable basis to conclude that the major incident has occurred; and

''(bb) after the initial notification under item (aa), within a reasonable period of time after additional information relating to the incident is discovered, including the summary required under subsection (c)(1)(A)(i); and

''(IV) any other agency or office, in accordance with law or as directed by the President; and

''(8) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency.

''(c) AGENCY REPORTING.—

''(1) ANNUAL REPORT.—

''(A) IN GENERAL.—Each agency shall submit to the Director, the Secretary, the Committee on Government Reform, the Committee on Homeland Security, and the Committee on Science of the House of Representatives, the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, the appropriate authorization and appropriations committees of Congress, and the Comptroller General a report on the adequacy and effectiveness of information security policies, procedures, and practices, including—

''(i) a description of each major information security incident or related sets of incidents, including summaries of—

''(I) the threats and threat actors, vulnerabilities, and impacts relating to the incident;

''(II) the risk assessments conducted under section 3554(a)(2)(A) of the affected information systems before the date on which the incident occurred;

''(III) the status of compliance of the affected information systems with applicable security requirements at the time of the incident; and

''(IV) the detection, response, and remediation actions;

''(ii) the total number of information security incidents, including a description of incidents resulting in significant compromise of information security, system impact levels, types of incident, and locations of affected systems;

''(iii) a description of each major information security incident that involved a breach of personally identifiable information, as defined by the Director, including—

''(I) the number of individuals whose information was affected by the major information security incident; and

''(II) a description of the information that was breached or exposed; and

''(iv) any other information as the Director or the Secretary, in consultation with the Director, may require.

''(B) UNCLASSIFIED REPORT.—

''(i) IN GENERAL.—Each report submitted under subparagraph (A) shall be in unclassified form, but may include a classified annex.

''(ii) ACCESS TO INFORMATION.—The head of an agency shall ensure that, to the greatest extent practicable, information is included in the unclassified version of the reports submitted by the agency under subparagraph (A).

''(2) OTHER PLANS AND REPORTS.—Each agency shall address the adequacy and effectiveness of information security policies, procedures, and practices in management plans and reports.

''(d) PERFORMANCE PLAN.—(1) In addition to the requirements of subsection (c), each agency, in consultation with the Director, shall include as part of the performance plan required under section 1115 of title 31 a description of—

''(A) the time periods; and

''(B) the resources, including budget, staffing, and training,

that are necessary to implement the program required under subsection (b).

''(2) The description under paragraph (1) shall be based on the risk assessments required under subsection (b)(1).

''(e) PUBLIC NOTICE AND COMMENT.—Each agency shall provide the public with timely notice and opportunities for comment on proposed information security policies and procedures to the extent that such policies and procedures affect communication with the public.

''§ 3555. Annual independent evaluation

''(a) IN GENERAL.—(1) Each year each agency shall have performed an independent evaluation of the information security program and practices of that agency to determine the effectiveness of such program and practices.

''(2) Each evaluation under this section shall include—

''(A) testing of the effectiveness of information security policies, procedures, and practices of a representative subset of the agency's information systems;

''(B) an assessment of the effectiveness of the information security policies, procedures, and practices of the agency; and

''(C) separate presentations, as appropriate, regarding information security relating to national security systems.

''(b) INDEPENDENT AUDITOR.—Subject to subsection (c)—

''(1) for each agency with an Inspector General appointed under the Inspector General Act of 1978, the annual evaluation required by this section shall be performed by the Inspector General or by an independent external auditor, as determined by the Inspector General of the agency; and

''(2) for each agency to which paragraph (1) does not apply, the head of the agency shall engage an independent external auditor to perform the evaluation.

''(c) NATIONAL SECURITY SYSTEMS.—For each agency operating or exercising control of a national security system, that portion of the evaluation required by this section directly relating to a national security system shall be performed—

''(1) only by an entity designated by the agency head; and

''(2) in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

''(d) EXISTING EVALUATIONS.—The evaluation required by this section may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the applicable agency.

''(e) AGENCY REPORTING.—(1) Each year, not later than such date established by the Director, the head of each agency shall submit to the Director the results of the evaluation required under this section.

''(2) To the extent an evaluation required under this section directly relates to a national security system, the evaluation results submitted to the Director shall contain only a summary and assessment of that portion of the evaluation directly relating to a national security system.

''(f) PROTECTION OF INFORMATION.—Agencies and evaluators shall take appropriate steps to ensure the protection of information which, if disclosed, may adversely affect information security. Such protections shall be commensurate with the risk and comply with all applicable laws and regulations.

''(g) OMB REPORTS TO CONGRESS.—(1) The Director shall summarize the results of the evaluations conducted under this section in the report to Congress required under section 3553(c).

''(2) The Director's report to Congress under this subsection shall summarize information regarding information security relating to national security systems in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

''(3) Evaluations and any other descriptions of information systems under the authority and control of the Director of National Intelligence or of National Foreign Intelligence Programs systems under the authority and control of the Secretary of Defense shall be made available to Congress only through the appropriate oversight committees of Congress, in accordance with applicable laws.

''(h) COMPTROLLER GENERAL.—The Comptroller General shall periodically evaluate and report to Congress on—

''(1) the adequacy and effectiveness of agency information security policies and practices; and

''(2) implementation of the requirements of this subchapter.

''(i) ASSESSMENT TECHNICAL ASSISTANCE.—The Comptroller General may provide technical assistance to an Inspector General or the head of an agency, as applicable, to assist the Inspector General or head of an agency in carrying out the duties under this section, including by testing information security controls and procedures.

''(j) GUIDANCE.—The Director, in consultation with the Secretary, the Chief Information Officers Council established under section 3603, the Council of the Inspectors General on Integrity and Efficiency, and other interested parties as appropriate, shall ensure the development of guidance for evaluating the effectiveness of an information security program and practices.

''§ 3556. Federal information security incident center

''(a) IN GENERAL.—The Secretary shall ensure the operation of a central Federal information security incident center to—

''(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

''(2) compile and analyze information about incidents that threaten information security;

''(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities;

''(4) provide, as appropriate, intelligence and other information about cyber threats, vulnerabilities, and incidents to agencies to assist in risk assessments conducted under section 3554(b); and

''(5) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

''(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

''§ 3557. National security systems

''The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

''(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

''(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

''(3) complies with the requirements of this subchapter.

"§ 3558. Effect on existing law

''Nothing in this subchapter, section 11331 of title 40, or section 20 of the National Standards and Technology Act (15 U.S.C. 278g–3) may be construed as affecting the authority of the President, the Office of Management and Budget or the Director thereof, the National Institute of Standards and Technology, or the head of any agency, with respect to the authorized use or disclosure of information, including with regard to the protection of personal privacy under section 552a of title 5, the disclosure of information under section 552 of title 5, the management and disposition of records under chapters 29, 31, or 33 of title 44, the management of information resources under subchapter I of chapter 35 of this title, or the disclosure of information to the Congress or the Comptroller General of the United States.''.

(b) MAJOR INCIDENT.—The Director of the Office of Management and Budget shall—

(1) develop guidance on what constitutes a major incident for purposes of section 3554(b) of title 44, United States Code, as added by subsection (a); and

(2) provide to Congress periodic briefings on the status of the developing of the guidance until the date on which the guidance is issued.

(c) CONTINUOUS DIAGNOSTICS.—During the 2 year period beginning on the date of enactment of this Act, the Director of the Office of Management and Budget, with the assistance of the Secretary of Homeland Security, shall include in each report submitted under section 3553(c) of title 44, United States Code, as added by subsection (a), an assessment of the adoption by agencies of continuous diagnostics technologies, including through the Continuous Diagnostics and Mitigation program, and other advanced security tools to provide information security, including challenges to the adoption of such technologies or security tools.

(d) BREACHES.—

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require—

(A) except as provided in paragraph (4), notice by the affected agency to each committee of Congress described in section 3554(c)(1) of title 44, United States Code, as added by subsection (a), the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives, which shall—

(i) be provided expeditiously and not later than 30 days after the date on which the agency discovered the unauthorized acquisition or access; and

(ii) include—

(I) information about the breach, including a summary of any information that the agency knows on the date on which notification is provided about how the breach occurred;

(II) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals;

(III) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

(IV) an estimate of whether and when the agency will provide notice to affected individuals; and

(B) notice by the affected agency to affected individuals, pursuant to data breach notification policies and guidelines, which shall be provided as expeditiously as practicable and without unreasonable delay after the agency discovers the unauthorized acquisition or access.

(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), or the Secretary of Homeland Security may delay the notice to affected individuals under paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

(3) REPORTS.—

(A) DIRECTOR OF OMB.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis—

(i) assess agency implementation of data breach notification policies and guidelines in aggregate; and

(ii) include the assessment described in clause (i) in the report required under section 3553(c) of title 44, United States Code.

(B) SECRETARY OF HOMELAND SECURITY.—During the first 2 years beginning after the date of enactment of this Act, the Secretary of Homeland Security shall include an assessment of the status of agency implementation of data breach notification policies and guidelines in the requirements under section 3553(b)(2)(B) of title 44, United States Code.

(4) EXCEPTION.—Any element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) that is required to provide notice under paragraph (1)(A) shall only provide such notice to appropriate committees of Congress.

(5) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to alter any authority of a Federal agency or department.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 35 of title 44, United States Code is amended by striking the matter relating to subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''3551. Purposes.
''3552. Definitions.
''3553. Authority and functions of the Director and the Secretary.
''3554. Federal agency responsibilities.
''3555. Annual independent evaluation.
''3556. Federal information security incident center.
''3557. National security systems.
''3558. Effect on existing law.''.

(2) CYBERSECURITY RESEARCH AND DEVELOPMENT ACT.—Section 8(d)(1) of the Cybersecurity Research and Development Act (15 U.S.C. 7406) is amended by striking ''section 3534'' and inserting ''section 3554''.

(3) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in section 223 (6 U.S.C. 143)

(i) in the section heading, by inserting ''**FEDERAL and**'' before ''**NON-FEDERAL**'';

(ii) in the matter preceding paragraph (1), by striking ''the Under Secretary for Intelligence and Analysis, in cooperation with the Assistant Secretary for Infrastructure Protection'' and inserting ''the Under Secretary appointed under section 103(a)(1)(H)'';

(iii) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(3) fulfill the responsibilities of the Secretary to protect Federal information systems under subchapter II of chapter 35 of title 44, United States Code.'';

(B) in section 1001(c)(1)(A) (6 U.S.C. 511(c)(1)(A)), by striking ''section 3532(3)'' and inserting ''section 3552(b)(5)''; and

(C) in the table of contents in section 1(b), by striking the item relating to section 223 and inserting the following:

''Sec. 223. Enhancement of Federal and non-Federal cybersecurity.''.

(4) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT.—Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(A) in subsection (a)(2), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)(5)''; and

(B) in subsection (e)—

(i) in paragraph (2), by striking ''section 3532(1)'' and inserting ''section 3552(b)(2)''; and

(ii) in paragraph (5), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)(5)''.

(5) TITLE 10.—Title 10, United States Code, is amended—

(A) in section 2222(j)(5), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)'';

(B) in section 2223(c)(3), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)''; and

(C) in section 2315, by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)(5)''.

(f) OTHER PROVISIONS.—

(1) CIRCULAR A-130.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall amend or revise Office of Management and Budget Circular A–130 to eliminate inefficient or wasteful reporting. The Director of the Office of Management and Budget shall provide quarterly briefings to Congress on the status of the amendment or revision required under this paragraph.

(2) ISPAB.—Section 21(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–4(b)) is amended—

(A) in paragraph (2), by inserting '', the Secretary of Homeland Security,'' after ''the Institute''; and

(B) in paragraph (3), by inserting ''the Secretary of Homeland Security,'' after ''the Secretary of Commerce,''.

SA 3976. Mr. REID (for Mr. PAUL) proposed an amendment to the bill H.R. 1281, to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act; as follows:

At the end, add the following:

SEC. ___. INFORMED CONSENT FOR NEWBORN SCREENING RESEARCH.

(a) IN GENERAL.—Research on newborn dried blood spots shall be considered research carried out on human subjects meeting the definition of section 46.102(f)(2) of title 45, Code of Federal Regulations, for purposes of Federally funded research conducted pursuant to the Public Health Service Act until such time as updates to the Federal Policy for the Protection of Human Subjects (the Common Rule) are promulgated pursuant to subsection (c). For purposes of this subsection, sections 46.116(c) and 46.116(d) of title 45, Code of Federal Regulations, shall not apply.

(b) EFFECTIVE DATE.—Subsection (a) shall apply only to newborn dried blood spots used for purposes of Federally funded research that were collected not earlier than 90 days after the date of enactment of this Act.

(c) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate proposed regulations related to the updating of the Federal Policy for the Protection of Human Subjects (the Common Rule), particularly with respect to informed consent. Not later than 2 years after such date of enactment, the Secretary

shall promulgate final regulations based on such proposed regulations.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON VETERANS' AFFAIRS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on December 8, 2014, at the time immediately following the first vote of the day, in room S–219 of the Capitol Building.

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

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that privileges of the floor be granted to Neil Ashdown for the duration of 2014.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Zachary Gross, Katy Crabtree, and Emalee Barto, interns with the Senate Health, Education, Labor, and Pensions Committee, be granted floor privileges for the remainder of today's session and that Caitlin Boon, a detailee with the committee, also be granted floor privileges for today's session.

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

FEDERAL INFORMATION SECURITY MODERNIZATION ACT OF 2014

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 564, S. 2521.

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

The bill clerk read as follows:

A bill (S. 2521) to amend chapter 35 of title 44, United States Code, to provide for reform to Federal information security.

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

Mr. REID. I ask unanimous consent that the Carper-Coburn substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time; and the Senate proceed to vote on passage.

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

The amendment (No. 3975) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Hearing no further debate, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 2521), as amended, was passed.

Mr. REID. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 100–702, the appointment of the following individual to the board of the Federal Judicial Center Foundation: Peter Kraus of Texas.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NEWBORN SCREENING SAVES LIVES REAUTHORIZATION ACT OF 2014

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1281.

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

The bill clerk read as follows:

A bill (H.R. 1281) to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

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

Mr. REID. I ask unanimous consent that the Paul amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 3976) was agreed to, as follows:

(Purpose: To clarify rules relating to newborn screening research and informed consent)

At the end, add the following:

SEC. ____. INFORMED CONSENT FOR NEWBORN SCREENING RESEARCH.

(a) IN GENERAL.—Research on newborn dried blood spots shall be considered research carried out on human subjects meeting the definition of section 46.102(f)(2) of title 45, Code of Federal Regulations, for purposes of Federally funded research conducted pursuant to the Public Health Service Act until such time as updates to the Federal Policy for the Protection of Human Subjects (the Common Rule) are promulgated pursuant to subsection (c). For purposes of this subsection, sections 46.116(c) and 46.116(d) of title 45, Code of Federal Regulations, shall not apply.

(b) EFFECTIVE DATE.—Subsection (a) shall apply only to newborn dried blood spots used for purposes of Federally funded research that were collected not earlier than 90 days after the date of enactment of this Act.

(c) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate proposed regulations related to the updating of the Federal Policy for the Protection of Human Subjects (the Common Rule), particularly with respect to informed consent. Not later than 2 years after such date of enactment, the Secretary shall promulgate final regulations based on such proposed regulations.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1281), as amended, was passed.

MEASURES DISCHARGED

Mr. REID. I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of the following measures, which are post office-naming bills, and the Senate proceed to their consideration en bloc: H.R. 4939, H.R. 1707, H.R. 78, H.R. 2112, H.R. 2223, H.R. 2678, H.R. 3534, and H.R. 5030.

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

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed en bloc and the motions to reconsider be laid upon the table en bloc with no intervening action or debate.

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

NEIL HAVENS POST OFFICE

The bill (H.R. 4939) to designate the facility of the United States Postal Service located at 2551 Galena Avenue in Simi Valley, California, as the ''Neil Havens Post Office,'' was ordered to a third reading, was read the third time, and passed.

JAMES R. BURGESS JR. POST OFFICE BUILDING

The bill (H.R. 1707) to designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the ''James R. Burgess Jr. Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

GEORGE THOMAS ''MICKEY'' LELAND POST OFFICE BUILDING

The bill (H.R. 78) to designate the facility of the United States Postal Service located at 4110 Almeda Road in

Houston, Texas, as the ''George Thomas 'Mickey' Leland Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

NATIONAL CLANDESTINE SERVICE OF THE CENTRAL INTELLIGENCE AGENCY NCS OFFICER GREGG DAVID WENZEL MEMORIAL POST OFFICE

The bill (H.R. 2112) to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the ''National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office,'' was ordered to a third reading, was read the third time, and passed.

ELIZABETH L. KINNUNEN POST OFFICE BUILDING

The bill (H.R. 2223) to designate the facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, as the ''Elizabeth L. Kinnunen Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

LARCENIA J. BULLARD POST OFFICE BUILDING

The bill (H.R. 2678) to designate the facility of the United States Postal Service located at 10360 Southwest 186th Street in Miami, Florida, as the ''Larcenia J. Bullard Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

OFFICER JAMES BONNEAU MEMORIAL POST OFFICE

The bill (H.R. 3534) to designate the facility of the United States Postal Service located at 113 West Michigan Avenue in Jackson, Michigan, as the ''Officer James Bonneau Memorial Post Office,'' was ordered to a third reading, was read the third time, and passed.

CORPORAL CHRISTIAN A. GUZMAN RIVERA POST OFFICE BUILDING

The bill (H.R. 5030) to designate the facility of the United States Postal Service located at 13500 SW 250 Street in Princeton, Florida, as the ''Corporal Christian A. Guzman Rivera Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MEASURES READ THE FIRST TIME—H.R. 5759 AND H.R. 5771

Mr. REID. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The bill clerk read as follows:

A bill (H.R. 5759) to establish a rule of construction clarifying the limitations on executive authority to provide certain forms of immigration relief.

A bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

Mr. REID. I now ask for a second reading on both of these measures but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

VENEZUELA DEFENSE OF HUMAN RIGHTS AND CIVIL SOCIETY ACT OF 2014

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 401, S. 2142.

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

The bill clerk read as follows:

A bill (S. 2142) to impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments; as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 2142

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Venezuela Defense of Human Rights and Civil Society Act of 2014''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Central Bank of Venezuela and the National Statistical Institute of Venezuela have stated that the inflation rate in Venezuela was 56.30 percent in 2013, the highest level of inflation in the Western Hemisphere and the third highest level of inflation in the world behind South Sudan and Syria.

(2) The Central Bank of Venezuela and the Government of Venezuela have imposed a series of currency controls that has exacerbated economic problems and, according to the World Economic Forum, has become the most problematic factor for doing business in Venezuela.

(3) The Central Bank of Venezuela and the National Statistical Institute of Venezuela have declared that the scarcity index of Venezuela reached 28 percent in December 2013, which signifies that one in 4 basic goods is unavailable at any given time.

(4) Since 1999, violent crime in Venezuela has risen sharply and the Venezuelan Violence Observatory, an independent nongovernmental organization, found the national per capita murder rate to be 79 per 100,000 people in 2013.

(5) The international nongovernmental organization Human Rights Watch recently stated, ''Under the leadership of President Chàvez and now President Maduro, the accumulation of power in the executive branch and the erosion of human rights guarantees have enabled the government to intimidate, censor, and prosecute its critics.''.

(6) The Country Reports on Human Rights Practices for 2013 of the Department of State maintained that in Venezuela ''the government did not respect judicial independence or permit judges to act according to the law without fear of retaliation'' and ''the government used the judiciary to intimidate and selectively prosecute political, union, business, and civil society leaders who were critical of government policies or actions''.

(7) The Government of Venezuela has detained foreign journalists and threatened and expelled international media outlets operating in Venezuela, and the international nongovernmental organization Freedom House declared that Venezuela's ''media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric by the government is common''.

(8) Since February 4, 2014, the Government of Venezuela has responded to antigovernment protests with violence and killings perpetrated by public security forces, and by arresting and unjustly charging opposition leader Leopoldo Lopes with criminal incitement, conspiracy, arson, and intent to damage property.

(9) As of March 13, 2014, 23 people had been killed, more than 100 people had been injured, and dozens had been unjustly detained as a result of antigovernment demonstrations throughout Venezuela.

SEC. 3. SENSE OF CONGRESS REGARDING ANTIGOVERNMENT PROTESTS IN VENEZUELA AND THE NEED TO PREVENT FURTHER VIOLENCE IN VENEZUELA.

It is the sense of Congress that—

(1) the United States aspires to a mutually beneficial relationship with Venezuela based on respect for human rights and the rule of law and a functional and productive relationship on issues of public security, including counternarcotics and counterterrorism;

(2) the United States supports the people of Venezuela in their efforts to realize their full economic potential and to advance representative democracy, human rights, and the rule of law within their country;

(3) the chronic mismanagement by the Government of Venezuela of its economy has produced conditions of economic hardship and scarcity of basic goods and foodstuffs for the people of Venezuela;

(4) the failure of the Government of Venezuela to guarantee minimal standards of public security for its citizens has led the country to become one of the most violent in the world;

(5) the Government of Venezuela continues to take steps to remove checks and balances on the executive, politicize the judiciary, undermine the independence of the legislature through use of executive decree powers, persecute and prosecute its political opponents, curtail freedom of the press, and limit the free expression of its citizens;

(6) the people of Venezuela, responding to ongoing economic hardship, high levels of

crime and violence, and the lack of basic political rights and individual freedoms, have turned out in demonstrations in Caracas and throughout the country to protest the inability of the Government of Venezuela to ensure the political and economic well-being of its citizens; and

(7) the repeated use of violence perpetrated by the National Guard and security personnel of Venezuela, as well as persons acting on behalf of the Government of Venezuela, in relation to the antigovernment protests that began on February 4, 2014, is intolerable and the use of unprovoked violence by protesters is also a matter of serious concern.

SEC. 4. UNITED STATES POLICY TOWARD VENEZUELA.

It is the policy of the United States—

(1) to support the people of Venezuela in their aspiration to live under conditions of peace and representative democracy as defined by the Inter-American Democratic Charter of the Organization of American States;

(2) to work in concert with the other member states within the Organization of American States, as well as the countries of the European Union, to ensure the peaceful resolution of the current situation in Venezuela and the immediate cessation of violence against antigovernment protestors;

(3) to hold accountable government and security officials in Venezuela responsible for or complicit in the use of force in relation to the antigovernment protests that began on February 4, 2014, and similar future acts of violence; and

(4) to continue to support the development of democratic political processes and independent civil society in Venezuela.

SEC. 5. SANCTIONS ON PERSONS RESPONSIBLE FOR VIOLENCE IN VENEZUELA.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any person, including a current or former official of the Government of Venezuela or a person acting on behalf of that Government, that the President determines—

(1) has perpetrated, or is responsible for ordering, controlling, or otherwise directing, significant acts of violence or serious human rights abuses in Venezuela against persons associated with the antigovernment protests in Venezuela that began on February 4, 2014;

(2) has directed or ordered the arrest or prosecution of a person primarily because of the person's legitimate exercise of freedom of expression or assembly; or

(3) has materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services in support of, the commission of acts described in paragraph (1) or (2).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(e) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' has the meaning given that term in section 5312 of title 31, United States Code.

(3) MATERIALLY ASSISTED.—The term ''materially assisted'' means the provision of assistance that is significant and of a kind directly relevant to acts described in paragraph (1) or (2) of subsection (a).

(4) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 6. SUPPORT FOR CIVIL SOCIETY IN VENEZUELA.

(a) IN GENERAL.—The Secretary of State *and the Administrator of the United States Agency for International Development* shall, subject to the availability of appropriations, directly or through nongovernmental organizations—

(1) defend internationally recognized human rights for the people of Venezuela;

[(2) build the organizational and operational capacity of democratic civil society activists and organizations in Venezuela at the national and regional level;

[(3) support the efforts of independent media outlets to broadcast, distribute, and share information beyond the limited channels made available by the Government of Venezuela;]

(2) strengthen the organizational and operational capacity of democratic civil society in Venezuela;

(3) support the efforts of independent media outlets to broadcast, distribute, and share information beyond the limited means available as of the date of the enactment of this Act;

(4) facilitate open and uncensored access to the Internet for the people of Venezuela;

(5) improve transparency and accountability of institutions that are part of the Government of Venezuela;

(6) provide support to civil society organizations, activists, and peaceful demonstrators in Venezuela that have been targeted for exercising internationally recognized civil and political rights, as well as journalists targeted for activities related to the work of a free press; and

(7) provide support for democratic [political] organizing and election monitoring in Venezuela.

(b) STRATEGY REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit a strategy to carry out the activities described in subsection (a) to—

(1) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $15,000,000 for fiscal year 2015 to carry out subsection (a). Amounts appropriated for the activities set forth in subsection (a) shall be used pursuant to the authorization and requirements contained in this section. Additional amounts may be authorized to be appropriated under provisions of law.

(2) NOTIFICATION REQUIREMENT.—

(A) IN GENERAL.—Funds appropriated or otherwise made available pursuant to paragraph (1) may not be obligated until until 15 days after the date on which the President has provided notice of intent to obligate such funds to—

(i) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives; and

(ii) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(B) WAIVER.—The President may waive the requirement under subparagraph (A) if the President determines that failure to waive that requirement would pose a substantial risk to human health or welfare, in which case notification shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable in the context of the circumstances necessitating such waiver.

SEC. 7. REPORT ON BROADCASTING, INFORMATION DISTRIBUTION, AND CIRCUMVENTION TECHNOLOGY DISTRIBUTION IN VENEZUELA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors (in this section referred to as the ''Board'') shall submit to Congress a report that includes—

(1) a thorough evaluation of the governmental, political, and technological obstacles faced by the people of Venezuela in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs;

(2) an assessment of current efforts relating to broadcasting, information distribution, and circumvention technology distribution in Venezuela, by the United States Government and otherwise; and

(3) a strategy for expanding such efforts in Venezuela, including recommendations for additional measures to expand upon current efforts.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the current level of Federal funding dedicated to broadcasting, information distribution, and circumvention technology distribution in Venezuela by the Board before the date of the enactment of this Act;

(2) an assessment of whether the current level and type of news and related programming and content provided by the Voice of America is sufficiently addressing the informational needs of the people of Venezuela; and

(3) specific measures for increasing broadcasting, information distribution, and circumvention technology distribution in Venezuela.

Mr. REID. Mr. President, I further ask unanimous consent that the committee-reported amendments be agreed to, the Menendez substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill.

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

The committee-reported amendments were agreed to.

The amendment (No. 3974) in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2142), as amended, was passed.

Mr. REID. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR TUESDAY, DECEMBER 9, 2014

Mr. REID. I now ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow morning, December 9, 2014; 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 debate only until 10:30 a.m., as provided for under the previous order; and that the Senate recess from 1 p.m. to 2 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. REID. Mr. President, for the information of all Senators, there will be two rollcall votes at 10:30 a.m. tomorrow on cloture on the Lodge and Walter nominations. The confirmation votes will occur at 6 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:45 p.m., adjourned until Tuesday, December 9, 2014, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 8, 2014:

DEPARTMENT OF ENERGY

ELLEN DUDLEY WILLIAMS, OF MARYLAND, TO BE DIRECTOR OF THE ADVANCED RESEARCH PROJECTS AGENCY-ENERGY, DEPARTMENT OF ENERGY.

NUCLEAR REGULATORY COMMISSION

JEFFERY MARTIN BARAN, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2018.

NATIONAL LABOR RELATIONS BOARD

LAUREN MCGARITY MCFERRAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2019.