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Senate

The Senate met at 10 a.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.

O God of wisdom and order, who filled the universe with the mysteries of Your power; sustain Your lawmakers with the knowledge of Your mercy and providence. May they always look to You, the architect of destinies, for guidance in the precarious journey of defending freedom. Lord, help them to grow in grace and in a knowledge of Your will and purposes. Sustain them and their loved ones with Your everlasting arms. May Your hand lead our Senators and Your right hand protect them.

We pray in Your mighty 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.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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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.

TAX INCREASE PREVENTION ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 627, which is H.R. 5771. It is the tax extender legislation.

The PRESIDENT pro tempore. The clerk will report the motion.

● 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 assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 627, H.R. 5771, a bill 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.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume executive session and vote on the confirmation of the Santos and Rose nominations. Those will be done by voice.

Following disposition of the nominations, there will be up to 3 hours for debate equally divided and controlled between the two leaders or their designees in relation to the Saldana nomination.

The time from 2:15 p.m. to 2:30 p.m. will be equally divided and controlled in the usual form, followed by two rollcall votes on cloture and confirmation of the Saldana nomination.

There will be our usual party caucuses today at noon. Rollcall votes will occur for sure this evening at 6 p.m.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

DANIEL J. SANTOS TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

FRANK A. ROSE TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE)

The PRESIDENT pro tempore. Under the previous order, the Senate will resume executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Daniel J. Santos, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board; and Frank A. Rose, of Massachusetts, to be an Assistant Secretary of State (Verification and Compliance).

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

The PRESIDING OFFICER (Mr. BOOKER). The clerk will call the roll.

The assistant legislative 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.

VOTE ON SANTOS NOMINATION

The PRESIDING OFFICER. If there is no further debate on the Santos nomination, the question is, Will the Senate advise and consent to the nomination of Daniel J. Santos, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board?

The nomination was confirmed.

VOTE ON ROSE NOMINATION

The PRESIDING OFFICER. If there is no further debate on the Rose nomination, the question is, Will the Senate advise and consent to the nomination of Frank A. Rose, of Massachusetts, to be an Assistant Secretary of State (Verification and Compliance)?

The nomination was confirmed.

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

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there is 3 hours of debate equally divided in the usual form on the motion to invoke cloture on the Saldana nomination.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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, it would probably be appropriate that I suggest the absence of a quorum but ask unanimous consent that the time be divided equally.

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

Mr. REID. This would be during all quorum calls today—because there will be several of them—that the time be divided equally on the Saldana matter.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, more than 3 months ago I was proud to introduce a fellow Texan, Sarah Saldana, to the Homeland Security and Governmental Affairs Committee in connection with her nomination to become the Nation's top immigration enforcement official, a position important to our country and particularly to Texas.

Ms. Saldana was born in Corpus Christi, TX, and became the first Latina U.S. attorney in Texas history and only the second woman to hold that position in the 135-year history of Texas, in the northern district, a region that includes the Dallas-Fort Worth metroplex, spans 100 counties, and stretches across 95,000 square miles. I, along with former Senator Kay Bailey Hutchison, was proud to support her nomination to that important job.

In her role as U.S. attorney and previously as a line prosecutor, Sarah Saldana has fought public corruption. She has fought organized crime, sex traffickers and other dangerous criminals. She has also prosecuted numerous high-profile public corruption cases, including the very publicized corruption trial that resulted in the conviction of the former Dallas mayor pro tem, Don Hill, and the ongoing case against Dallas county commissioner John Wiley Price—both members of her political party—which put her in some disfavor, as you might imagine, in Democratic political circles. But it was something which demonstrated to me that she was a person of courage and conviction and she believed in enforcing the law beyond purely deferring to personal political interests.

Throughout her career she has developed an outstanding reputation, and based on her qualifications alone, we would be hard-pressed to find a person better suited for the job at Immigration and Customs Enforcement than Sarah Saldana.

Unfortunately, the President changed everything this last November by his Executive action on immigration. To be clear—I have said this before on the floor, but I will just repeat—I believe the President's actions are beyond his constitutional authority and are a reckless political stunt.

Here are the sorts of things the President is claiming to do. The Department of Homeland Security has issued a series of directives pursuant to the President's instructions on November 21, doing everything from repealing the Secure Communities Program, by which local law enforcement cooperates with Immigration and Customs Enforcement and when a person is arrested who also is in the country illegally, they are detained by local law enforcement, even though they have served their time or otherwise are subject to release so that ICE can come pick them up and return them to their country of origin. The President's Executive action and the Department of Homeland Security directives pursuant to that eliminate the Secure Communities Program.

It also purports to prioritize immigration enforcement according to three priorities. The problem is these add even more confusion to what is already an indecipherable and confusing mess, and it also puts to the lowest priority people who have been convicted of crimes such as child abuse, stalking, theft, some child pornography offenses, possession, distribution of alcohol to minors, hit-and-run, including some hate crimes, property destruction, false imprisonment, some abduction offenses and the like. In other words, the President's priorities for immigration enforcement really represent a wholesale

change in the law—if they were actually authorized. Until they are set aside by a court or if Congress were to repeal them along with what would require a Presidential signature, they are the standing requirement for any Director of Immigration and Customs Enforcement. The President, purportedly, also used his authority to issue work permits for millions of people illegally in the country. While I don't believe our country would ever engage in mass deportation, the fact that the President has usurped the authority of Congress and purports to take on the authority to issue work permits to people illegally in the country to me is mind boggling.

This is the situation into which the President has put a good and decent person such as Sarah Saldana. The President has put the next Director of Immigration and Customs Enforcement in an untenable position. When confirmed, she will be the principal enforcer of our immigration laws. Unfortunately, she now claims the President was operating within his legal authority to issue this Executive action. I say that because several Senators on the Senate Judiciary Committee issued written questions to the nominee about this Executive action, and it is clear in her responses that Ms. Saldana has wholeheartedly embraced the President's Executive action and claims that it is within his authority.

If you think about it, a Presidential nominee has two choices. They can either say, well, I disagree with what the President has done, so I will refuse to serve, or if they are already confirmed, I am going to resign my position, or they can embrace the President's policies, because the President is the one who makes those policies. Clearly, Ms. Saldana has embraced the President's policies, which I believe are unconstitutional.

I believe we should be deeply concerned about the damage the President's Executive actions will do to our already broken immigration system because they reinforce the dangerous message that the President is already sending to the world that our laws against illegal immigration will not be enforced. This is an invitation for lawlessness, and it will make it much more likely that we will experience further humanitarian crises and a surge of illegal immigration such as we saw last spring and which we have seen this year with more than 60,000 unaccompanied children coming from Central America through Mexico to our southern border. So the President's policies are a green light, and, unfortunately, Ms. Saldana has embraced those policies.

I believe that the recent election was a mandate for us to work together on bipartisan solutions to our country's biggest challenges, but apparently the President didn't get the memo. I was actually at a lunch at the White House with other leaders of both parties across the Capitol where Speaker BOEHNER, the incoming majority leader and I, and the current majority leader said to the President: Please don't do this. Don't poison the well. Give us a chance to do our job as the new majority in the House and the Senate to try to pass consensus immigration reform bills and put them on your desk. The President ignored that. So the President chose to poison the well and to make it harder for us to do what we know we all have to do; and that is to fix our broken immigration system to the best of our ability.

The President's reckless Executive actions have done further damage. They are deeply unfair to people who have been waiting patiently in line according to the written immigration laws—the people who have been playing by the rules. To allow millions of people simply to jump ahead of those people who have been waiting patiently in line and playing by the rules is profoundly unfair. At a time when our economy is starting to recover from the financial crisis in 2008 and the policies that have intervened, we know that there is potential harm to hard-working middle class families who are already living on stagnant wages and a rising cost of living to have millions more people eligible for work permits under the President's purported authority in these Executive actions. We ought to be careful about that, we ought to be deliberative about that, and we ought to make sure we are doing the sorts of things that will protect—not harm—hard-working middle class families. But the President has ignored all that and just done it his way.

Well, some pundits have suggested perhaps the President's real goal was to provoke Republicans to taking the bait and descending into further dysfunction. Well, if I heard one message from my constituents and people as I campaigned for reelection in Texas, it is that people really want us to work together. They want this place to function. In many instances they don't care so much about what we do, as long as we do something to work together. Of course, they care about what we do, and there are areas where we disagree. But there are areas of common ground where we can work together to solve these problems. We are not going to take the bait if that is what the President's intention was, and we are not going to descend into even more dysfunction. That would be a repudiation of the message and mandate the voters sent to us on November 4.

So we are going to plow ahead. When the new majority takes place on January 6, working with our colleagues in the House, working with our colleagues across the aisle, we are going to try to find places where we can pass bipartisan immigration legislation—not in a comprehensive fashion but in a step-by-step fashion to try to make some progress to improve our broken immigration system.

I am most concerned about the precedent the President's actions would set for our system of government. What if future Presidents take upon themselves the claimed authority to issue other Executive actions that ignore the separation of powers and allocation of responsibilities given to the different branches of government under our Constitution? It is a dangerous precedent. If the President cannot be trusted to enforce the laws passed by the people's elected representatives, then self-governance is an illusion. This is very dangerous.

The American people should never stand for rule by Executive fiat, and they should demand the rule of law be enforced under our Constitution. The President's frustration with the Republican House of Representatives is no justification for doing what he has done. He needs to give us an opportunity to do our job, and he needs to join us at the negotiating table to make progress on our broken immigration system.

Although I admire Ms. Saldana, I fear she will be tasked with carrying out the implementation of the President's unconstitutional Executive actions, refusing to enforce our immigration laws. Unfortunately, when given the chance to address the constitutionality of these actions with the Judiciary Committee, these fears were not alleviated. Members of the committee were denied a chance to ask her questions during an open confirmation hearing, something several previous nominees for this position have undergone.

As a matter of fact, Senator GRASSLEY, the ranking Republican on the Judiciary Committee, and I invited Ms. Saldana to appear at an informal question-and-answer session, since the chairman of the Judiciary Committee denied us an opportunity to have a formal hearing, so she could perhaps answer our questions and clarify her position—the position she took in the written answers to the questions for the record, which I referred to earlier.

I don't know whether she got bad advice or whether she, herself, decided it would be a futile effort, but she decided not to appear for that informal give-and-take.

Maybe it would have helped her clarify her answers to the questions sent by the committee, maybe not. Maybe she would have stood by her answers, but we will never know.

It is for these reasons I regrettably cannot support her nomination. Ms. Saldana, as I said, is somebody whom I admire and respect, but if she is determined to help the President implement this deeply flawed Executive action and refuses to enforce the law Congress has written and has been signed by previous Presidents, I cannot support her nomination.

I will not aid and abet a President dead set on unilaterally defying our Nation's immigration laws.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF SARAH R. SALDANA TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Chair report the Saldana nomination, Calendar No. 1084.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The legislative clerk read the nomination of Sarah R. Saldana, of Texas, to be an Assistant Secretary of Homeland Security.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, my colleague from Texas has just stepped off the floor. He has spoken at some length about his position on this nomination. With the utmost respect for my colleague from Texas, I wish to address the same issue.

We disagree on many political issues, but we are truly friends, and we work together on the Senate Judiciary Committee. I respect him very much, even though we disagree on this issue. I just wanted to express my respect for the senior Senator from Texas before I speak about the nominee to be Assistant Secretary of Homeland Security.

I am at a loss to explain the position of the Senator from Texas and the Republican Party of America when it comes to the issue of immigration. What are we to make of what they tell us when we talk about immigration? Without fail, they say to us: First and foremost, we must have enforcement at our borders. Once we have secured our borders from the inflow of illegal immigrants, then—and only then—can we discuss fixing our broken immigration system.

How often have we heard that? I have heard it every time the Republicans address the issue of immigration: First, fix the border, and then we will talk.

It was about 540 days ago—on the floor of the Senate—when we called up an immigration reform bill for consideration. That immigration reform bill was put together—a comprehensive bill—by Democrats and Republicans. I was one of eight who helped to put that bill together. We sat down for months and negotiated that bill.

The Republican side of the table had JOHN MCCAIN of Arizona, former Republican candidate for President; JEFF FLAKE of Arizona, a border State Senator with passionate feelings about this issue; MARCO RUBIO, one of the two Hispanic Members of the Republican Senate caucus; and LINDSEY GRAHAM of South Carolina, a man who is an attorney, works in the Air Force Reserve in the Judge Advocate General's Corps, and is a conservative by every measure. Those were our four on the Republican side. On the Democratic side we had Senator CHARLES SCHUMER, chairman of the Senate immigration subcommittee of the Judiciary Committee; BOB MENENDEZ, of the Presiding Officer's State of New Jersey and a Hispanic leader; MICHAEL BENNET of Colorado; and myself.

We negotiated not for weeks but for months. We laboriously went through every aspect of immigration in America, and, to the amazement of ourselves as well as the public, we reached an agreement, a compromise. I was not happy with parts of the bill. Some of it I didn't like at all, and I thought other parts were excellent. That is the nature of a compromise.

We brought this bill to the Senate Judiciary Committee and opened it up for amendment. We said to Republicans and Democrats alike: Improve it if you can. There were scores of amendments that were offered in that committee.

The bill was favorably reported from the Senate Judiciary Committee and came to the floor of the Senate, where once again it was amended. One amendment, offered by Senator CORKER of Tennessee and Senator HOEVEN of North Dakota, Republicans, dramatically increased border enforcement.

We currently spend more on immigration enforcement than on all other Federal law enforcement efforts combined. We have made a huge commitment, and the Hoeven-Corker amendment increased it with 700 miles of fences, more personnel than ever, to the point where they could literally have an agent every 1,000 feet along the southern border.

Are we serious about border enforcement in our comprehensive bill? Yes, we are. We adopted the Hoeven-Corker amendment. Although some said we were overdoing it, we adopted it in the spirit of compromise and offered it on the floor for passage. On the final vote, we had 68 Senators who voted in favor of comprehensive immigration reform. There were 14 Republicans who voted for it, along with the Democrats, which made a majority of 68, and we passed the comprehensive immigration reform bill.

Sadly, the senior Senator from Texas voted no. He voted no on comprehensive immigration reform. We did our job. We had a bill endorsed by the U.S. Chamber of Commerce and the AFL–CIO. This bill was endorsed by faith leaders all across the United States and had the support of the civil rights community as well as conservatives such as Grover Norquist. We passed it. It is what the Constitution said we had to do.

We sent it through the Rotunda and across the Capitol to the House of Representatives, where it fell into this dark and gloomy pit never to be seen again. We have waited about 540 days now for the House of Representatives to at least acknowledge it, maybe even debate it, perhaps change it or even offer it on the floor of the House of Representatives, but no, they chose to do nothing. In the view of the House of Representatives, we have a broken immigration system. Yet they decided to leave it untouched.

So the President said time and again to Speaker BOEHNER: When are you going to accept your responsibility when it comes to fixing this broken immigration system?

The Speaker kept saying: Give me some time. Give me some time. Give me some time.

Eighteen months passed, and the President said: I am sorry. I have to do something. If you are going to do nothing in the House of Representatives when it comes to immigration, I must do something as President.

He went into an effort—I know because we spoke—of research to determine what previous Presidents had done when it came to immigration by Executive action. He started off somewhat skeptical, and he said as much publicly, as to the limits of what he could do.

He said: I need to carefully research this, and he did. He found that some 11 Presidents have engaged in Executive action on immigration, and so he set out to do the same, to carefully construct Executive action to deal with our broken immigration system, all the while knowing the Republicans in the House of Representatives, and many here in the Senate, were going to do nothing when it came to immigration.

He issued his Executive action a few weeks ago. What did it say? It said: If you have been in the United States at least 5 years and come forward and register with this government by giving us your name, your address, and vital information, we will then submit you to an extensive criminal background check to determine whether you have done anything while in the United States or before that makes you ineligible to stay. If you fail that initial criminal review, you are gone—no questions asked. But if you pass it and are prepared to register with this government and pay your fair share of taxes for working in the United States, you will be given a temporary work permit that must be renewed, as we review every several years whether you are still eligible to stay. That is the Executive action that has driven the Republicans to distraction.

The notion is that this President is going to try to fix a broken immigration system by at least guaranteeing that those who are here working legally have no criminal background problems and are paying their fair share of taxes. They are so distraught over this that they have come up with a strategy that is incredible.

The Republican Party, which has insisted time and time again that border enforcement is their highest priority, have—in protest to this Executive action by the President—decided to do two things. First, they passed a spending bill in the House of Representatives which funded all of the Federal Government with a budget for the next year except for one agency. Which agency would that have been? It turned out to be the Department of Homeland Security, which is responsible for border enforcement. The party that is dedicated

to border enforcement as the starting point for an immigration discussion starts off by tying the hands of the agency responsible for border enforcement when it comes to their budget.

Why would you do that? If you truly want the border enforced and you want people there doing their job, why would you limit their resources? Why would you make it more difficult for them to operate? But the Republicans—in protest of the President's decision—insisted on it. That was the first thing they did, and now we are seeing the second part of the Republican strategy, which is in protest to the President's Executive action.

They are prepared to stop the nomination of Sarah Saldana to become an Assistant Secretary leading U.S. Immigration and Customs Enforcement. That title describes what she would do, but for the record she would be responsible for making certain that the people who are protecting our border are doing their job right and spending their money well, and it turns out she is eminently qualified to do it.

I will read a quote from Sarah Saldana's confirmation hearing:

> Ms. Saldana [is] the first Latina United States Attorney in Texas history, and only the second woman to hold that position in the 135-year history of Texas' Northern District. . . . In her role as U.S. Attorney and prosecutor over the past decade, Ms. Saldana has served our state with honor—fighting corrupt public officials, organized crime, sex traffickers, and other dangerous criminals. Throughout her career, Ms. Saldana has developed a reputation for her decisive and fair temperament and her commitment to excellence.

What is the source of this glowing tribute to Ms. Saldana? It turns out the source is the Senator who just left the floor, the senior Senator from Texas who announced today he is voting against her.

After making this statement, he is voting against her. Why? He said because she would aid and abet this President of the United States in implementing his Executive action.

Elections have consequences. I noted that President Obama was reelected by the people of the United States of America and given the responsibility to lead this great Nation. He has asked for a team to do that, and whether I agree or disagree with any given policy of this President, it is clear the American people said: Mr. Obama, lead this Nation.

He has asked for help to lead this Nation, and it is help long overdue. Do my colleagues know how long it has been since we filled this critical spot to protect our border from unlawful immigration? Over 2 years. July of 2012 was the last time this spot was filled. There have been objections to those people who have been suggested by the President over and over again, by the same political party that insists border enforcement is their highest priority. Yet they will not fund the agency responsible for it in a systematic, orderly way, and they refuse to fill the vacancy of the person responsible for administering this border enforcement.

I am at a loss to explain this. It appears to me their feelings about this President have reached a point where they are not thinking clearly. They cannot announce on one hand that first we must have border enforcement and then fail to fund the agency. They cannot announce that first we need to make sure we stop the flow of undocumented immigrants and then refuse to fill the position responsible for administering that responsibility. Yet that is exactly what they want to do today.

I hope good sense will prevail. I hope Ms. Saldana is given her chance to serve this Nation. I am certainly going to support her in that process. It is time we have a Senate-confirmed head of this agency, and it is overdue for us as a Senate and a House of Representatives to address comprehensive immigration reform.

The Republicans who are critical of the President's Executive action when it comes to immigration, in the words we learned in law school, do not have clean hands. They have failed to support immigration reform. They have failed to call on the House of Representatives. They have failed to fund the agency responsible for border enforcement, and they want to fail today in even filling the spot to administer it. Leadership requires that we step forward with the President and do what is necessary.

I see the minority leader and my colleague from Utah are on the floor. I will close by saying that President Obama, when he announced his Executive action, said to his critics on the other side of the aisle: There is a way to deal with this issue and to stop this Executive action. Pass a bill.

We have waited over 500 days for the House of Representatives. I hope we don't have to wait much longer.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

HONORING OUR ARMED FORCES

STAFF SERGEANT DANIEL T. LEE

Mr. MCCONNELL. Mr. President, today I rise to honor the life of a brave soldier in the U.S. Army Special Forces from Kentucky who gave his life to defend his country. SSG Daniel T. Lee of Fort Wright, KY, was killed on January 15, 2014, in Afghanistan from wounds received during combat action in the Parwan Province while searching for militants wanted for recent attacks on Bagram Air Base. He was 28 years old.

For his service in uniform, Staff Sergeant Lee received many awards, medals, and decorations, including the Bronze Star Medal, the Purple Heart, the Meritorious Service Medal, the Army Commendation Medal, the Army Achievement Medal, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, two Noncommissioned Officers Professional Development Ribbons, the Army Service Ribbon, two Overseas Service Ribbons, the NATO Medal, the Combat Infantryman Badge, the Basic Parachutist Badge, and a Special Forces Tab.

Danny's mother Frances Lee has this to say about her son:

> Danny became consumed with being all that he could be; not only in Special Forces but as a father, husband, brother, and son. He never lost his sense of humor and was rarely without a smile. His smile was infectious even in dire times.

A northern Kentucky native, Danny's childhood was filled with friends, family, and sports. He was a member of the Beechwood diving team from the age of 5. In the eighth grade, he transferred to Turkeyfoot Junior High School and began playing football. He also played basketball, baseball, and softball.

Danny graduated from Dixie Heights High School in 2003 and moved to Tennessee ''for a fresh start,'' says Danny's mother. He began working for a Knoxville electrical company but soon moved to Lowe's hardware chain, where he got a job as a manager in Crossville, TN.

His mother said:

> While in Crossville, he enlisted in the U.S. Army, a move that took all of us by surprise. We packed up the house and off he went to Fort Benning. He is the only person I have ever heard say that he loved basic training!

After enlisting in the U.S. Army in October of 2007, Danny completed basic training at Fort Benning. His first assignment was with the 2nd Squadron, 1st Cavalry Regiment at Fort Lewis, WA. While serving in the 1st Cavalry Regiment, Danny deployed to Iraq in support of Operation Iraqi Freedom in 2009.

Daniel's service in Iraq compelled him to join the elite ranks of some of our finest fighters in the Armed Forces. Danny's mother said:

> Upon his return from Iraq, he became a man with a mission. That mission was to become a Special Forces Green Beret.

Danny began his Special Forces training in March of 2011 and ultimately earned his Green Beret when he graduated as a Special Forces communication sergeant. To earn that Green Beret, Danny attended Airborne School at Fort Benning and went to Qualification School at Fort Bragg, NC. For approximately 20 months he completed a series of rigorous classes covering skills and tactics such as languages, leadership, navigation, survival, evasion, resistance, and escape.

While in Qualification School, Danny also married his wife Suzanne, whom he met while stationed at Fort Lewis. Danny graduated from Special Forces training in May 2013, and he and Suzanne had a child, Daniel Roderick, in July of that same year.

In August 2013, Danny was assigned to C Company, 2nd Battalion, 3rd Special Forces Group, Airborne, based in Fort Bragg. In September of that year,

he was deployed to Afghanistan in support of Operation Enduring Freedom.

After Danny's death, the Kentucky General Assembly appropriately designated a portion of Kentucky Route 1072 in northern Kentucky's Kent County as the ''Sergeant Daniel Tyler Lee Memorial Highway.''

We are thinking of Danny's loved ones today as I recount his story for my colleagues in the Senate, including his wife, Suzanne; his son, Daniel; his parents, Frances and Daniel Patrick Lee; his sister, Jamie Hahn; and many other beloved family members and friends.

The motto of the U.S. Army Special Forces, of which Daniel T. Lee was a proud member, is ''de oppresso liber'' or ''to liberate the oppressed.''

As an elite member of the Nation's Armed Forces, with service in both Iraq and in Afghanistan, Staff Sergeant Lee certainly fulfilled a mission to the best of his ability. The Commonwealth of Kentucky and the U.S. Senate are both grateful for his service and for his sacrifice.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise in opposition to the nomination of Sarah Saldana to be in charge of Immigration and Customs Enforcement within the U.S. Department of Homeland Security.

As we all know, the President of the United States recently announced he will take unilateral Executive action on immigration. In so doing, he has circumvented the democratic process, and he has broken the law and subverted our constitutional order.

It is incumbent on every Member of this body, no matter what their politics or what immigration policies they might prefer to enact, to oppose that usurpation of legislative power and to defend the rule of law. Fulfilling that duty—the duty to defend the rule of law and our constitutional order—leads me to oppose Ms. Saldana's nomination to be the Director of Immigration and Customs Enforcement, or ICE, as it is commonly known. Although I respect her and respect her record of public service, including an admirable and independent streak she demonstrated as U.S. attorney, I am concerned that she has also demonstrated that her commitment to the rule of law may falter where the Immigration and Nationality Act is concerned.

In response to a question raised by several members of the Senate Judiciary Committee, including me, Ms. Saldana said that she agreed with DHS Secretary Jeh Johnson that immigrants who enter the country illegally and have now been targeted for the so-called deferred action program have ''earned the right to be citizens.'' That is bold. This is an extraordinarily bold assertion on her part.

No doubt Congress could and many people think Congress should ease the path to citizenship for some aliens, some immigrants who are currently here unlawfully, but to assert that citizenship—not just the right to remain here for a time but full-blown citizenship—is a matter of right and that it has been earned by the very act of breaking our immigration laws is an unacceptable view for a person who has been nominated to be the head of our Nation's immigration enforcement office, but, as I told the Senate last week, this seems to be precisely the mentality of this administration.

Although President Obama has repeatedly denied clearing a path to citizenship for those who have crossed our borders illegally, his denial is false, and he knows it. A 2010 Department of Homeland Security memorandum explicitly contemplated this very thing. We see some evidence of this. There was a 2010 memorandum within the U.S. Department of Homeland Security—one that made it all the way up to then-Secretary of Homeland Security Janet Napolitano—that explicitly contemplated using a legal device called parole to enable aliens who crossed our border unlawfully to become citizens.

Now, the law makes it possible for aliens with U.S. citizen children who have been paroled into the United States to adjust their immigration status and become green card holders, but parole is supposed to be very rare. In other words, there is a way to get here but not by use of parole.

Federal law—specifically INA S. 212 (d)(5)(a)—forbids the President, forbids the executive branch of government from paroling aliens into the country except for under very limited circumstances, including ''urgent humanitarian reasons or significant public benefit.'' That is the text of the statute enacted into law by Congress. But now, despite denying having cleared the path to citizenship, the administration has begun granting parole to beneficiaries of deferred action under the very thinnest of pretexts: The President's policies now allow deferred action recipients to get advanced parole so long as they have a client meeting or an interview or some academic research to perform overseas—hardly an urgent humanitarian crisis. When they get back from their trips, these same individuals would then be paroled into the country and will eventually become eligible to adjust their status and get green cards—exactly as the 2010 DHS memo suggested.

All of this, of course, is illegal. But it is worse than illegal; it is illegitimate. If Congress decides to make it easier for illegal immigrants who have children here to obtain citizenship, then so be it, but that is a decision for the American people through their elected officials in the legislative branch of the Federal Government to make. If the President dislikes the law, he, as any other citizen, must ask this body to change the law—must ask Congress to change that law. He has no more right than anyone else who lives in this country to ignore or change the law outside the constitutional process.

But the President and this administration have talked themselves into doing just that. They can try to rationalize that action—to us and perhaps themselves—only by donning the mantle of moral indignation. It isn't just that it would be prudent or merciful to reform our immigration regime. Instead, the administration's argument is that those who flout our laws have, by the very act of flouting them and by the very act of breaking them, earned some kind of moral entitlement to have the law changed or at least to have the law ignored. If Congress will not oblige them, they will do it themselves. They will draft a law called an Executive order that overturns national immigration policy as established by law and passed by Congress, and they will announce it at a press conference. There will be no debate; there will be no amendments; there will be no vote. In short, there will be no democracy.

We have passed through the looking glass. And to see how far we have gone inside, observe: Today, the President asks us to install as custodian of our border a person who evidently believes that crossing our border illegally earns you the right to vote. The Constitution gives the Senate the responsibility to give the President advice about his Executive nominations and ultimately consent.

My advice is this: The President should not proffer a nominee for the job of executing our immigration laws who affirmatively supports subverting those very same laws, those same laws she would be called upon to enforce and implement and execute if, in fact, she were confirmed to this position. But that is exactly what the President does. That is exactly what the President has done by submitting this name to the Senate for confirmation. I cannot and will not give my consent.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CYPRUS

Mr. MENENDEZ. Mr. President, I come to the floor to speak on two separate and distinct topics. The first is about Cyprus.

This year marks the 40th anniversary of the Turkish invasion. We hoped it would have brought a fair settlement to the Cyprus question; that would have brought an end to a 40-year-long occupation and division of the island by Turkey.

There is always cause for optimism and room for faith that the realization of a reunified Cyprus is in the near future. Global and regional dynamics

have made the reunification of Cyprus a priority, driven in part by Cyprus's newly found energy resources. This is particularly true in light of Russia's Machiavellian-like power plays in Central Europe that have placed Cyprus and Israel at the forefront of the discussion of European energy security.

The natural resources that have been discovered this year in the eastern Mediterranean offer both Greek and Turkish Cypriots alike a powerful incentive to reach an agreement. Cyprus can play a pivotal role in regional energy security. But the dynamics have again changed, which is why I rise today to express my grave concern over the Republic of Turkey's incursion into Cyprus's exclusive economic zone.

On October 20, Turkey sent a Russian vessel—the Barbaros—into Cyprus's exclusive economic zone to stop the Government of Cyprus from exercising its lawful and sovereign right to explore the natural gas within the exclusive economic zone. In the days following, Turkey dispatched warships to support the Barbaros in its illegal activities, where they remain to this day.

The incident is merely the latest in a long series of violations on the part of Turkey against Cyprus's sovereign right to explore and exploit its natural resources within its own exclusive economic zone. Turkey, of course, also illegally occupies, with 40,000 Turkish troops, the northern portion of the island and has for 40 years prevented any meaningful reconciliation efforts.

This map, from the National Oceanic and Atmospheric Administration, shows the positions of the Turkish ships in red. They are sitting between the island of Cyprus and its own ships in its own exclusive economic zone.

There is no doubt in my mind that Turkey's actions have endangered peace talks between the Greek and Turkish Cypriots that began in February with a joint communique issued by the two communities. That communique committed to finding a durable solution based on a bizonal, bicommunal federation with political equality. But because of Turkey's bullying practices, peace talks are now on hold. For peace talks to resume, Turkey must immediately withdraw its ships operating in and around Cyprus.

The international community has been abundantly clear in supporting Cypriot President Nicos Anastasiades in recognizing Cyprus's right to explore the resources within its economic zone and in condemning Turkey for this blatant violation.

On November 13, the European Parliament adopted a resolution strongly condemning Turkey's ''illegal and provocative actions'' in Cyprus, stressing that ''the Republic of Cyprus has the full and sovereign right to explore the natural resources within its exclusive economic zone.''

Turkey's recent actions in Cyprus are only one instance of its belligerent and bellicose rhetoric and backsliding on peace and democracy. In recent weeks, President Erdogan and his Cabinet have used unusually belligerent and anti-Western rhetoric to attack the West. He actually said—and I am amazed at the rhetoric:

> Americans look like friends but they want us dead—they like seeing our children die.

He said: They like seeing our children die. This is the President of Turkey. He also said:

> Women are not equal to men. Our religion has defined a position for women: motherhood.

Erdogan said this at a summit in Istanbul on justice for women.

He went on to say:

> Some people can understand this, while others can't. You cannot explain this to feminists because they don't accept the concept of motherhood.

He then went on so far as to say that Muslims discovered America, not Columbus.

He has vowed to make lessons in the Arabic alphabet Ottoman language compulsory in high schools—a highly symbolic move which enraged secularists who proclaim he is assuming an increasingly extremist agenda.

These statements, along with Turkey's illegal actions in Cyprus's exclusive economic zone, are a dramatic escalation of Turkey shifting away from democracy and its partners in the West, and in my view requires an immediate and forceful response.

The Cypriot people need a strong voice on this issue. They need us to demand President Erdogan to immediately withdraw from Cyprus's exclusive economic zone so reunification talks can resume.

Cyprus's leaders deserve credit for trying to change the dynamics and return to talks. They also deserve credit for being an ally and advocate of America's interests.

Cyprus's active role in supporting counterterrorism efforts, terror financing, and the removal of chemical weapons from Syria have not gone unnoticed to this Senator. Cyprus is clearly positioning itself as part of the Western security architecture and is a resource, advocate, and an ally for our interests.

These developments have led the White House to play an active role on behalf of Cyprus, and I was very pleased to see our former colleague and now Vice President—Vice President BIDEN—visit in May and to hear of his commitment to resolving the Cyprus question. I share his support for the confidence-building measures in Famagusta that would benefit both sides and accelerate progress toward a final settlement where Cypriots control their destiny and their territory, and where at the end of the day any settlement is from the people of Cyprus, by the people of Cyprus, and for the people of Cyprus, and Cyprus alone.

To that end, I recently sent a letter to President Obama urging his continued engagement on the issue of reunification of the island and the restoration of human rights for all its citizens. I also wrote to Ambassador Power urging her active involvement in the extension of the island's U.N. peacekeeping operation, and I was pleased when the extension was formalized at the end of July.

I hope President Erdogan, now that his election is behind him, will use this opportunity to play a renewed role in finding a fair settlement. We all appreciate that any progress will depend on a true commitment by the Turks to the peace process.

As the chairman of the Foreign Relations Committee, I believe the United States is committed to supporting Cyprus as a friend and ally. So as we mark the 40th year of a divided Cyprus, let us hope and pray that a fair and mutually beneficial settlement will be reached very soon and that, once again, the island will be reunited. Above all, let the warship and let the other ships that do not belong in Cyprus's waters be removed and removed now.

Mr. President, at this time, I would like to switch the topic to the nomination of Sarah Saldana, and I want to reiterate my strong support for Sarah Saldana, a woman eminently qualified to serve our country and to lead ICE as our next Assistant Secretary of Homeland Security.

The junior Senator from Texas began this long legislative weekend engaged in his own political battle, wholly dependent on a strategy of obstructionism, delay, and some quixotic fixation on preventing the Senate from exercising its constitutional responsibility to legislate and ensure that critical leadership positions for our Nation are filed in a timely manner.

Unfortunately, some of my friends on the other side have joined in the politics of obstructionism. Now they want to prevent a duly elected President from filling a position they themselves feel is of paramount importance. They have railed about the need for strong Immigration and Customs Enforcement; and now, given the chance finally to confirm a Director of ICE to give them the strong enforcement they have demanded, they refuse, they obstruct, they delay, and they reverse their positions from when they voted for her to be a U.S. attorney. They now use her nomination to score political points with their base because they disagree with the President's politics—not with the qualifications of the nominee, but with the President's policies.

Sarah Saldana is qualified, and Senators CRUZ, CORNYN, SESSIONS, and everyone on the other side of the aisle know it. I think they have said so themselves. She currently serves as the U.S. Attorney for the Northern District of Texas. She is the first Latina U.S. Attorney for the Northern District of Texas and would be the first Latina to head ICE.

In 2011, she won bipartisan approval to serve as the U.S. Attorney in the Dallas-based Northern District of Texas. Senators JOHN CORNYN and Kay Bailey Hutchison at that time of Texas

backed her for that post. She has been endorsed by the law enforcement community, including the Major Cities Chiefs Association president and the Philadelphia Police Department Police Commissioner Charles Ramsey.

She is an effective, qualified, competent, outstanding U.S. attorney. In fact, the senior Senator from Texas, my friend Senator CORNYN, has praised her as being ''tough, smart and fiercely independent.'' Now she is being denied confirmation for that same toughness, intelligence, and independence. Why? Because—surprise of all surprises—she happens to agree with the policies of the President who nominated her; just as Attorney General Herbert Brownell agreed with President Eisenhower in 1956 when he paroled foreign-born orphans into the United States for adoption; just as Attorney General Edward Levi agreed with President Gerald Ford in 1976 when he granted extended voluntary departure to Lebanese citizens; just as Ed Meese agreed with Ronald Reagan in July of 1987 when he shielded Nicaraguan refugees from deportation, and later when he shielded Polish nationals from deportation; and in October 1987 when President Reagan protected from deportation the minor children of parents legalized in the 1986 immigration law; just as Attorney General Richard Thornburgh agreed with George Herbert Walker Bush in November of 1989 when he protected Chinese nationals from deportation after Tiananmen Square, and in February of 1990 when President Bush extended President Reagan's family fairness policy to spouses and unmarried children, all undocumented at the time; and just as John Ashcroft agreed with President George W. Bush when he expedited nationalization for green-card holders who enlisted in the military in 2002.

So this isn't a fundamental Republican policy issue backed by history or by the facts, it is a modern-day extreme conservative issue driven by politics, despite the facts contrary to their own history. The fact is they do not agree with the President on just about anything—certainly not on immigration, as proven by the statements we have heard on this floor.

I want to be very clear. We cannot judge the qualifications of Sarah Saldana to run Immigration and Customs Enforcement based solely on the fact she agrees with the policy decisions of the President who nominated her. That is an absurd and completely illogical standard. We judge nominees based on their qualifications, their integrity, their record, and their willingness to serve the Nation.

The fact is we don't deny confirmation to score political points. We may disagree on the issues, but we cannot raise the political bar so high in this Chamber that we no longer are able to carry out our constitutional mandate of advice and consent. I don't believe that is what my colleagues will suggest, but that appears to be how they are judging this nominee and why they have chosen to hold up confirmation of so many nominees. They have raised the political bar so high as to deny any ability for this President to fill key positions in government and in our embassies abroad—all to score political points and diminish the ability of this President and this institution of government.

Sarah Saldana is more than qualified to head Immigration and Customs Enforcement. She is more than qualified to oversee the agency my Republican colleagues fully support, which is responsible for enforcement of immigration laws, national security, drug smuggling, human trafficking, cyber security, and child exploitation.

She will direct the agency that tracks down people without documentation—that is what my Republican friends want. Yet they have set the political bar so high that they have made it impossible for them to get what they claim to want most when it comes to immigration policy—that is immigration enforcement. The illogic of their position is just mind boggling.

The Senator from Texas comes to this floor for one purpose, and one purpose only, in my view—to rail against the President, to castigate him for doing what his own party's iconic Ronald Reagan did when he was President, George H.W. Bush did when he was President, and what every President has done to defer deportations when keeping people's lives and families together were in the balance.

My friend from Texas wants to join his House colleagues and score political points with the most extreme elements of his party. So be it. But I wish to remind everyone that this isn't a game. I would say to the junior Senator from Texas that instead of floor theatrics and playing politics, it is time to step up and govern. It is time to confirm Sarah Saldana and put her in charge of Immigration and Customs Enforcement. Let's do the work we were sent here to do.

I say to my friend from Texas what I have said before on this floor. There is a simple antidote to Executive action. It is to have our friends in the House of Representatives pass immigration reform. Pass it. Call it up for a vote. That is the end of it—not disinformation and misleading speeches about what the President's action does and does not do or blocking this nominee.

Let's be clear. The President's Executive action will not grant anyone legal status or citizenship. It is not a free pass. But it will clear the way for many to come forth out of the shadows, register with the government, pass a criminal background check, get a work permit, pay taxes, and no longer live in fear of having their families ripped apart.

As a result of the President's actions—which is replicated actions by 11 Presidents for the last 60 years on 39 different times—more Border Patrol will be sent to the southern border, more felons will be deported, more people will pay taxes like the rest of us, and more families will stay together. Those are all goals and values I think we would want to espouse.

The fact is, the Senate is being prevented from conducting the people's business. For some Members that is the goal. For them it is all or nothing. For them it is an ideological war that can only be won or lost. For them it is not about governing; it is about winning.

So I would say to my colleagues, there is a very important difference, and that difference is the basis of millions of Americans who expect us to work for them. They don't care if we win or lose political battles. They want us to help them with their battles in their lives for their families. That is what they want. It is what they deserve. I ask my friends to help us do the people's business.

Our agencies have waited long enough. They need positions filled by qualified appointees, and Sarah Saldana is more than qualified. So I urge my colleagues to confirm this nominee and fill the position that is responsible for law enforcement activities that keep our country safe.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. KAINE. Mr. President, I wish to discuss the work that Congress still must do regarding America's ongoing war against ISIL, and I am glad to follow my colleague, the chairman of the Senate Foreign Relations Committee, who has played such a critical role in initiating the first major step that Congress has taken. I want to talk about that step and the steps in which we would continue to engage.

It was my strong hope as of December 2014 that Congress would have spoken by now with a clear voice regarding ISIL and authorizing the military action commenced by President Obama on August 8. While that has not occurred, action taken by the Senate Foreign Relations Committee last week finally moves the body into the sort of good-faith legislative process regarding this ongoing military action, and it is my hope the process will be completed early in 2015.

I first began speaking about this issue in the spring of 2013. I had grown deeply concerned that the administration, as did the previous administration, was using the 2001 Al Qaeda authorization and the 2002 Iraq authorization to justify military actions significantly beyond what Congress had intended when those authorizations passed. So during an Armed Services hearing in May 2013, I told administration witnesses that any decision to introduce U.S. forces into Syria would require, in my view, a new authorization.

I was pleased when President Obama sought congressional approval for military action in Syria in August 2013, and

I believe the Senate Foreign Relations Committee vote at that time helped lead to the ultimate destruction of the Syrian chemical weapons stockpile—one of the largest stockpiles in the world.

There is an important lesson. The President's determination that U.S. military action is necessary is made more powerful when Congress joins in that decision.

In June of this year, when it became apparent that the advances of ISIL in Iraq and Syria posed a threat to humanitarian values, to regional allies, to U.S. citizens and embassies and to our broader national interests, I publicly argued and encouraged the administration to address the threat—but only using military force after consultation and approval by Congress.

Make no mistake. ISIL is a major threat. But Presidents cannot constitutionally start military action without Congress unless there is a direct and imminent threat to the United States.

In this instance, with ISIL's activities occurring halfway across the globe and with the administration admitting that the organization poses no imminent threat of attacking the United States, a new congressional authorization is necessary.

Now, I regret that the administration started military action—what President Obama called going on offense against ISIL—in August without congressional approval. The White House asserts that the current action is justified by the 2001 and 2002 authorizations, but most outside observers and most Members of Congress believe the current campaign against ISIL needs its own legal authorization. The White House has not proposed authorizing language, and so it is up to Congress to do the job of providing a legal framework for this war.

I introduced a proposed authorization for war against ISIL within days after President Obama addressed the Nation on television on the evening of September 10. Since then, I have been working to have the matter heard—first in the Foreign Relations Committee and then by the full Senate. I have been greatly assisted in my effort by many colleagues, none more so than the chairman, Senator MENENDEZ, who has passionately worked to advance this item in the business of the Senate.

The pace of our efforts has been frustratingly slow. But last week, after a series of hearings and business meetings, the Senate Foreign Relations Committee voted on an authorization to authorize the ongoing military action.

The authorization is a sound product that does a number of things. First, it authorizes and describes the military campaign against ISIL. Second, it establishes a 3-year duration of the authorization, with the ability for reauthorization if the Congress determines it to be in the national interests. Third, the authorization repeals the 2002 Iraq authorization and sunsets the 2001 Al Qaeda authorization in 3 years as a mechanism for forcing Congress to review and revise that Al Qaeda authorization.

Finally, what we did last week places limitations on the use of U.S. ground troops in the war on ISIL in accord with President Obama's clear pledges to the American public and our considered judgment that the U.S. role should be primarily to assist ground troops from the region in battling the region's own extremist violence.

After reporting the authorization out of committee, Senator MENENDEZ filed it as an amendment to the omnibus budget bill with numerous cosponsors, including me. That was entirely appropriate because the budget contained funding for the ongoing operation against ISIL. But the amendment was not allowed, and, thus, in all likelihood, we will adjourn our 2014 session without taking action beyond the SFRC vote.

But just as the SFRC vote in August 2013 played a significant role leading to the destruction of the Syrian chemical weapons stockpile, I believe the authorization we passed last week will also have a significant effect. It becomes the first formal action by Congress in providing a legal framework for the war that, until now, has been carried out without any clear legal authority. It will be the basis for our discussions in January as we complete the necessary work of authorizing this military action.

It is my hope that the authorization passed in Senator MENENDEZ's committee will be introduced early in 2015, with dozens of cosponsors, and ultimately enable a full congressional vote on this most important matter.

I do believe the dialogue in Congress since August—since the President initiated unilateral military action on August 8—does offer some important lessons.

First, not surprisingly—and especially as a Virginian I have to say this—the Framers of our Constitution had it right—Framers such as Mason, Madison, and Jefferson. We shouldn't go to war without congressional approval. Unilateral action by the Executive without congressional support deprives the public of the full debate necessary to educate everybody about whether military action is in the national interest.

Just as importantly—maybe more importantly—it is unfair to send American troops into harm's way without a clear political consensus supporting the mission. We have already had three Americans who have lost their lives in Operation Inherent Resolve.

Congressional debate and approval expresses a support for the mission. But the lack of clear congressional support subjects an ambivalence about whether military action is a good idea or bad, and that is not healthy when we are asking people to risk their lives.

Second, when a President decides that military action is needed, the events of the last few months demonstrate it is best for the President to propose a draft authorization to Congress. When the President spoke to the Nation on September 10, he should have sent a draft authorization of the war against ISIL to Congress immediately. A clear definition of the proposed mission by the President is the best way to encourage full congressional debate and build the national consensus in support of the proposed mission.

Now, if a President does not propose an authorization, that doesn't give the Article I branch—the legislature—a pass from our constitutional obligations. We cannot let the lack of Presidential action slow us down in doing our job. But the process works better if the President initiates military action with a clear proposed authorization of Congress.

Third, the administration's reliance on the 2001 and 2002 authorizations in prosecuting this war on ISIL without congressional action demonstrates the profound need to revisit those authorities, because using a 13-year-old authorization crafted in different times for a different circumstance under a different administration for a different bit of geography with the support of a vastly different Congress to justify a new war 13 years later is not the way the Nation should make the great decision about whether to go to war. That is why the repeal of the 2002 authorization and a significant revision of the 2001 authorization is so important.

Finally, the events of the last months revealed yet again the weaknesses of the War Powers Resolution of 1973, an act whose provisions have been ignored by Presidents and Congresses of both parties since the ink was dry on the original. This fall, as an example, the President provided Congress notice of the start of military action as provided by the 1973 act, but then he completely ignored the 60- and 90-day timeline for ceasing military action and instead continued military operations in a unilateral way. It is time to update the 1973 law so it will work, for gosh sake. Senator MCCAIN and I have introduced a significant revision of the law to improve the consultation between Congress and the President on matters of war, to define the magnitude of conflict that should trigger a required congressional vote, and to set out mandatory timelines for congressional action.

I am fully aware that a better, more consistent process for initiating war will not make our security challenges easy ones. The world is a difficult place. We have bellicose authoritarian regimes—North Korea and Russia—we have non-State actors such as ISIL or Boko Haram or the al-Nusra Front or Al Qaeda. It is a complicated security situation that we have right now, and if we have a better process it will not make those security challenges easy, but I maintain—and my belief has grown stronger with every day I have

been in this body—that the absence of a process for making decisions about war coupled with the twin pathologies of Executive overreach and congressional abdication make it harder for us to do the right thing with clarity and with speed.

The events of the last month show that America can make decisions about war in a better way, and it is my hope we will address this important issue promptly as we reconvene in 2015.

Thank you.

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

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRIBUTE TO DON MARFISI

Mr. CARPER. Madam President, over the past few years I have had the great privilege, along with Dr. TOM COBURN, to chair the Committee on Homeland Security and Governmental Affairs. Our committee has many responsibilities, one of those being oversight of the Department of Homeland Security.

The Department of Homeland Security was created just shy of 12 years ago—a young organization compared to most other agencies. It was established in 2003 following the terrorist attacks of 9/11. It brought together under one umbrella 22 different and disparate agencies. Trying to form one unified agency has not been easy. There have been growing pains aplenty. Our current Secretary Jeh Johnson, Deputy Secretary Ali Mayorkas, and their leadership team have made great strides in addressing challenges, and I am confident their hard work will continue and pay off.

Behind the leadership team at the Department of Homeland Security are the more than 200,000 men and women who go to work each day to fulfill one critical mission, to create a safe, secure, and resilient place where the American way of life can thrive. Whether these employees are encountering terrorism, securing our borders and our airports, responding to natural disasters or bolstering our defenses in cyber space, few other agencies and employees touch the lives of Americans on a daily basis more than does the Department of Homeland Security.

As chairman of the Homeland Security and Governmental Affairs Committee, I have had the great honor and pleasure of meeting with many of these men and women and learning more about their work, learning about their families, their frustrations, and their dedication to the service of our Nation. We have also heard the Department of Homeland Security leadership from across the Department, including Secretary Jeh Johnson, sing their praises and describe the mission-critical work they perform day in and day out in communities across America and around the world.

A young man named Don Marfisi of Kansas City, MO, is one of those employees. I wish to take a few minutes to talk about him and to acknowledge his service. Don grew up in Omaha, NE. He is the son of a civil servant and homemaker. His father worked for the city of Omaha, his brother worked for the Department of Justice, and his son currently works for the Metropolitan Community College in Kansas City, MO. Clearly, public service is a deep tradition in his family—and from what I hear, it is something Don takes to heart.

Don began his Federal service more than 24 years ago as a supply clerk with the U.S. Department of Agriculture Farm Service Agency in Lincoln, NE. Four years later, in August of 1998, he joined the Immigration and Naturalization Service in the Department of Justice. After a little over 1 year there, he was transferred to Citizenship and Immigration Services in the new Department of Homeland Security. Within Citizenship and Immigration Services, Don works at the National Records Center where he is responsible for logistics, procurement, and property management. We can still find him there today. In fact, his colleagues consider him a ''cave pillar,'' having worked at the Center since opening day.

What does the National Records Center do exactly? According to the Department, it is the keystone to the recordkeeping of the agency for which he serves. We call it USCIS—housing millions of paper records that have been centralized into a single state-of-the-art facility. The Center where Don works improves the integrity of USCIS's recordkeeping and dramatically reduces the time it takes to retrieve a file or paperwork, meaning faster application processing for an agency charged with overseeing our immigration system.

Don's current job title, mission support specialist, doesn't do his work justice. Colleagues say Don is not just a support specialist but an integral part of the National Records Center's mission support team and plays an important role in nearly all the logistics-related projects executed at the center. In this position, he develops and administers best practices for Federal procurement and property management. While he avoids the spotlight, he is highly valued and sought out for his expertise in the asset management field.

Don's colleagues told me, ''Through his painstaking attention to detail and timely responsiveness . . . he has provided a superior level of customer service to local employees and other stakeholders.''

Don's attention to detail ensures that folks within Citizenship and Immigration Services have the tools and resources they need to get their job done. Don's critical eye and expertise in procurement is also credited for saving the government and the taxpayers over $500,000 in fiscal year 2013 and over $800,000 to date in fiscal year 2014. Let me repeat that: Don has saved the American taxpayers in the last 2 fiscal years $1.3 million.

His service and stewardship don't end there. At the same time he is saving the Department and taxpayers hundreds of thousands of dollars, he is also finding a way to give back. Along with the money he has been able to trim off the Federal deficit, he has managed to arrange the contributions of nearly $800,000 in equipment to local schools through the GSA Property Disposal Program. Through this program he ensures that unused or older government equipment goes directly to local schools. Because of his efforts, computers and other equipment that would otherwise be trashed are recycled and used to boost education and raise student achievement in schools across the country.

As one can imagine, educators, communities, and the students themselves who receive the equipment have been overjoyed with the generous donations. But don't take my word for it. In 2012 the Miami R–1 School District, in Amoret, MO, a small K–12 school located on the Missouri border in the middle of cornfields and cow pastures, received $45,000 worth of recycled technology equipment.

Sharon Knuth, the school's technology administrator, wrote to Don saying that her district was ''blessed by the GSA Property Disposal program.'' She added:

> We are limited in our funds and budgets so we do not always have the chance to purchase the latest technology equipment. Because of your generosity, we will put the computers, monitors, speakers and plugs to good use. . . . We will grow and prosper only because we found some great friends like you who gave us support along the way.

Another school in Chadwick, MO, thanked Don for the ''blessing''—that is their term—of this new technology they received through his efforts. But there is more. Don was also a member of the Office of Equal Opportunity and Inclusion's Minority Serving Institutions Program team which facilitated more than $1 million in computer equipment donations in the past fiscal year 2014.

Don has been recognized for his extraordinary accomplishments in years past. In 2013, for example, he was recognized as USCIS Employee of the Year and as one of the National Record Center's Employees of the Quarter. Yet despite these great accomplishments and high praise from his colleagues and from people all over the country, Don insisted that every award he has received is a team award. When he learned he was gathering such high praise for his work, his response was:

> Being recognized for your efforts is appreciated, however, I'm the fortunate one, I get to reuse items and give—two things I enjoy doing.

Like a true leader, this man is humble.

Don remembers something that I learned from Department Secretary Jeh Johnson during his confirmation. I learned that one of Secretary Johnson's guiding principles is a lesson from Dr. Benjamin—known as Bennie—Mays, former president of Morehouse College, who said: ''You earn a living by what you get; you earn a life by what you give.''

Think about that for a second, and then think about this man right here and all the giving he has done throughout his career and his service to our country. I just have to say to Jeh Johnson, the Secretary of the Department, that you have a remarkable employee. You are blessed with a lot of remarkable employees, and Don is certainly at the top of the list.

Don's service doesn't end at the Department. He has a couple of other critical roles. He is a husband and a dad. He and his wife Pam have been married for 30 years. He has a son, Josiah, and daughter Anna. When he is able to find some well-deserved downtime, he enjoys watching a Big Ten team, the Nebraska Cornhuskers, with his family.

I have to say that as a proud Ohio State graduate, we enjoyed playing you guys this year and look forward to next year—maybe you guys will get some revenge next year.

To Pam, Josiah, and Anna, thank you for sharing your husband and dad with us. He has done extraordinary work for our country and for a lot of communities. We are proud of him, and I bet that you are as well.

Finally, I say to Don Marfisi—on behalf of my colleagues, Democrats, Republicans, and a couple of Independents as well, and the folks who work here in the Capitol, even the pages who are sitting at the bottom of the Presiding Officer's desk—we all thank you for what you do for us every day, for your service, and for your immeasurable generosity to our great Nation.

I also wish to thank Alejandro Mayorkas. Ale is the Deputy Secretary of the Department of Homeland Security. We were meeting with a number of employees at the Department of Homeland Security. They were discussing how to raise morale, although that is not their day job; it is an additional responsibility they have undertaken. The folks at the Department of Homeland Security—for the 12 years it has been in existence—has suffered from low morale, and sadly, still does. I think that is starting to change.

I am an old Navy guy, and I like to say that things that are hard to do are like changing the course of an aircraft carrier. I think the aircraft carrier is starting to turn at Homeland Security.

One of the keys for an organization to do well is to have great leadership. As the Presiding Officer knows, at the beginning of this year, there were gaping holes in the top ranks of the Department of Homeland Security. One of the things Dr. COBURN, the committee, and I did—when the administration would nominate a candidate with good leadership skills—was to bring those nominations to the Senate and debate them and vote them up or down. We have made great progress this year, and I am grateful to Senator HEITKAMP for being so supportive and a big part of that process.

We have a vote this afternoon on another critical nomination. Sarah Saldana is a U.S. prosecuting attorney. She leads our operation in the northern part of Texas and oversees 100 counties in her great State. She tries to make sure the Federal laws are enforced across her counties.

She has been nominated to be Assistant Secretary at the Office of Immigration and Customs Enforcement, also called ICE. It is a huge job with tens of thousands of employees who work all across America.

I hope when we debate her nomination—she has been supported very graciously by JOHN CORNYN, the senior Senator from Texas, who introduced us to her at our committee hearing—our colleagues will join together in supporting her nomination.

We have this photograph here, and I said earlier this is Don Marfisi in the middle, also known as Pam's husband.

I will be coming to the floor about once a month to talk about this department, which doesn't get the kind of credit it deserves, and the people who work there don't get the credit they deserve. We are trying to make sure that changes, and part of changing the course of the aircraft carrier is to say thanks to the good people at the Department. Don is one of many employees who deserves our thanks.

In this photograph to my right, this handsome young man is Ethan Cole. Ethan is the supervisor for the work that Don and these folks do.

We have here Terry Sloan. She is the Deputy Director of the National Records Center, and we are proud of her and her services. Standing next to Terry is another TC—we have TOM COBURN, TOM CARPER, and Tom Cioppa. I think when this picture was taken, Tom was the Director of the National Records Center, and now he is the District Director of the Chicago District.

Not long ago Ale Mayorkas and a number of Homeland Security employees were paying us a visit. The reason I mentioned Ale is because of a story he told us about a visit someone made to NASA headquarters. I can't recall if it was during the evening or weekend, but it was during off hours. As they were going through one of the big buildings at NASA, the visitor came across a guy who was a custodian. The visitor said to the custodian: What do you do here? The janitor looked him right in the eye and said: I am helping to put a man on the moon.

The people at Homeland Security, including Don, are helping to ensure that our country is safe and secure. We are in their debt.

With that, I am looking to see if there is anyone else trying to speak. I understand the Senator from South Dakota may be emerging from the Republican cloakroom and looking for a moment to shine. If he doesn't get out here fast, I will just note the absence of a quorum and will let him call it off when he gets here.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NEW ERA IN THE SENATE

Mr. THUNE. Madam President, the American people made one thing clear in November, and it was this. They are ready for change in Washington. The Senate Republicans are too. In fact, I think even some Senate Democrats are ready for a change in Washington.

When the Republicans take the majority in January, things will look very different here in the Senate. The start of our majority will mark an end to the dysfunction that has characterized the Senate under the Democrat's leadership. Under Republican leadership, the Senate will return to regular order.

We will once again empower the committee chairmen to start the legislative process. Bills will be drafted in committee with input from Members of both parties before the bills are fully debated on the Senate floor, and Members of both parties will be able to offer amendments, which is in strong contrast to the Democratic Senate, where the minority party has been almost entirely prevented from getting amendment votes.

History shows us that the Senate functions best when all Members are allowed to have amendments and votes. In the early years of the Reagan administration, President Reagan aggressively pursued tax cuts that faced opposition from Republicans as well as Democrats. However, after 2 weeks of debate and consideration of 141 amendments, the Senate passed the bill by an overwhelming vote of 89 to 11.

In President Reagan's second term, the Tax Reform Act of 1986 saw 3 weeks of debate on the Senate floor. After the consideration of 109 amendments and 24 rollcall votes, the bill received 97 votes in the Senate.

These are just a couple of examples of a Senate functioning as our Founders intended. An open amendment process softens division among Members and builds bipartisan support for major legislation. The result is reforms which are not only historic but longstanding.

In addition to returning to regular order, the Senate will also focus on its oversight responsibilities. Our job is not just to pass legislation. We also have a responsibility to take a look at all government programs and existing legislation to make sure the government is doing its job in the most efficient and effective way possible.

Whether it is the IRS targeting conservative groups or a Department of Veterans Affairs that is failing our veterans, Senate Republicans will conduct aggressive oversight to hold unelected bureaucrats and executive branch political appointees accountable for their actions.

Finally, and most importantly, Republicans are going to change the Senate's priorities. No longer will the Senate's time be tied up with partisan legislation designed to please the Democrats' far left constituencies. Instead, Americans' priorities will be our priorities—jobs, the economy, and the middle class.

As even the third-ranking Democrat in the Senate admitted recently, Democrats have not done too well at focusing on the people's priorities.

The senior Senator from New York said:

> Unfortunately, Democrats blew the opportunity the American people gave them. We took their mandate and put all of our focus on the wrong problem—health-care reform.

Republicans do not intend to blow the opportunity the American people have given us. We will get right to work on legislation to create jobs, grow the economy, and expand opportunities for hard-working Americans. We will take up the dozens of jobs bills that have passed the House but have been collecting dust on the Democratic leader's desk here in the Senate.

We will take up legislation to improve the Keystone XL Pipeline and the more than 42,000 jobs that it would support. We will work with the President to reauthorize trade promotion authority to open new markets to American farmers and manufacturers and make sure that American goods are competing on an equal playing field internationally.

We will take up legislation to improve flexibility for working families so Americans can meet their responsibilities at work while still having the time they need for their families at home. And, of course, we will take up legislation to address ObamaCare.

The President's health care law is not only making our health care system worse, it is also hurting our already sluggish economy. Senate Republicans want to repeal and replace this law with real health care reforms—reforms that will actually lower costs and improve America's access to care.

In the meantime, however, we will chisel away at the law's most damaging provisions—provisions like the medical device tax, which has eliminated thousands of workers' jobs in this industry and is driving up the price of lifesaving devices such as pacemakers and insulin pumps, and the 30-hour workweek, which is forcing employers to cut workers' hours and wages in order to afford ObamaCare-mandated health care costs. We will also work to repeal the health care law's individual mandate. The Federal Government should not be in the business of forcing Americans to buy a government-approved health insurance product.

Finally, Republicans will tackle some of the big challenges that need to be addressed if we are going to put our country back on a path to long-term prosperity. We want to make our Nation's costly and inefficient Tax Code fairer and simpler for families and businesses. We also intend to take up regulatory reform.

Recent regulations released by the President's EPA illustrate just how pressing the need is to reform our country's out-of-control bureaucracy. Just one of the recently proposed EPA regulations—the President's national energy tax—would eliminate tens of thousands, if not hundreds of thousands of jobs and devastate entire communities. No executive agency should be able to damage our economy in that way or to destroy the livelihoods of so many hard-working Americans. It is time to get America's regulatory agencies under control.

Republicans heard what the American people said in November, and we are not going to let them down. January 6 marks the start of a new era in the Senate. The Republican majority will focus on the American people's priorities: creating jobs, growing the economy, and increasing opportunity for middle-income American families. We hope the Democrats will join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senator from Ohio be allowed to speak directly after the conclusion of my remarks.

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

KLAMATH BASIN

Mr. MERKLEY. Madam President, I rise today to address a key unfinished piece of business that is extremely important to the Klamath Basin of southern Oregon.

The Klamath Basin Act has still not been enacted as of the close of this Congress. In that failure, Congress is missing a critical opportunity to put in place a locally developed solution to a longtime water dispute. This failure creates a substantial risk of catastrophic consequences for our ranching and farming families—risks that were entirely avoidable.

Let me start by telling my colleagues what an amazing place Klamath Basin is. Klamath Basin is one of the natural wonders of the American West. It has one of the biggest salmon runs in the Pacific and part of one of the largest continuous blocks of wild rivers and wildlands on the Pacific coast. It is one of the most important migration points in the Pacific coast flyway for bird migration. It is an important place for duck hunters up and down the west coast.

The Klamath River itself charts a path to the south of Crater Lake—an amazing natural wonder where a crater created by a very large cascade volcanic mountain that blew its top—and the California Redwoods to the south. It connects the Great Basin geology, the cascading volcanos, and the deep and majestic rivers and canyons along its way. Amidst this natural wonder, in its basin lies some of the most fertile and productive agricultural land in the northwest, generating $600 million a year in barley, potatoes, onions, mint, and, as we can see in this photo, beef.

The settlement of the Klamath Basin by pioneers from the east and the subsequent development of farming and ranching in the Klamath Basin has a storied history. The first White explorer thought to enter the area was John Freeman, on his way to play a notorious role in taking control of California during the Mexican-American war. The first White settlers were the pioneering Applegate family, scouting an easier southern route for the final stages of the Oregon Trail. Agriculture was, of course, a major focus of settlement efforts, and even some of the more recently developed agricultural lands played into key moments in American history when part of the Klamath Reclamation Project was developed by the Federal Government and offered as homesteading opportunities to veterans returning from World War II.

Of course, this region had a history long before settlers from the East came to it. It was already inhabited by Native communities who have lived in the Klamath Basin for 10,000 years and who have a deep connection to this amazing place. The Klamath and Modoc Tribes have inherited oral histories of the eruption of Mount Mazama 8,000 years ago, which formed today's Crater Lake. The tribes on the lower river in California—the Yurok, the Karuk, and the Hoopa—talked about having firepits in home sites still in use today that have been carbon-dated as being in human use many thousands of years ago. In the Klamath County Museum, there is on display the oldest sandals in the world that we have ever discovered made of sagebrush.

The early history of settlement from the East led quickly to conflict. John Fremont's expedition led to a violent battle with the Klamath Tribes. The opening of the Applegate Trail through the basin led to conflict between the Modoc Tribes and White settlers along the Lost River. The resulting Modoc War—a dark chapter in our Nation's persecution of tribes—led to a standoff where the Army held a few dozen Modoc families under siege in barren, hostile lava beds for months.

Unfortunately, for too much of recent history, conflict has continued to define the Klamath Basin.

In the 1950s the Federal Government terminated Federal recognition of the Klamath Tribes, converting their 2 million-acre forested reservation into a combination of national forest lands and private lands.

In the 1970s conflict erupted between the lower river tribes and Federal fisheries managers of the tribes' rights to harvest fish they have harvested for thousands of years. Very soon after, farmers, ranchers, and tribes initiated litigation over water rights, and that litigation has been going intensely until very recently. On the one hand, tribes want to be assured of their rights to continue fishing practices they have passed down from generation to generation for thousands of years. Farmers and ranchers want to be sure they will have the water they need to sustain the operations their families depend on for success.

For decades the tension over water has been accentuated in times of drought, culminating most famously in a standoff in 2001 that made national news. During that 2001 drought irrigation water for the Klamath Reclamation Project was shut off to protect endangered fisheries. Thousands of people gathered in Klamath Falls in sympathy with the farmers. There was civil disobedience, and people were worried about the possibility of violence.

When Vice President Cheney intervened and guaranteed water deliveries rather than fish protections, the result was the largest fish kill in U.S. history. Meanwhile, agriculture was damaged. Families saw major losses, and some had to sell their farms. There were no real winners.

At the time, many people thought that these issues were intractable and that the arguments and lawsuits would continue interminably, perhaps for generations to come. But a number of years ago a group of leaders in the community had the boldness to start rethinking how they framed their quest for water and the water wars. Their briefing to me was one of the first briefings I received as a U.S. Senator. I was surprised to see individuals representing parts of the community who had often been bitter enemies together. They were talking about sitting down and hammering out a different vision for the future to replace the lose-lose water battles of the past with something different: greater reliability of water for farmers and ranchers and protection for the tribes and their fishing rights and better health for the stream. We had leaders from many different parts of the community sitting down together because—they said to me: Senator, the only folks who are winning right now are the lawyers. They wanted to change that.

I was skeptical that groups who had battled for so long could sit down and work out an agreement. As we say in the West, whiskey, that is for drinking, and water, that is for fighting. But these folks said: We are going to pursue a different path.

I pledged that if they were able to develop a solution, I would do everything I could at the Federal level to help implement it. They defied the expectation of every cynic by coming up with a remarkable plan that solved an array of complex problems. The irrigators committed to reducing the total amount of water they take from the river from a variety of conservation practices. They are working collaboratively with the community and the tribes to restore habitat. In exchange, they get certainty and predictability for guaranteed amounts of water. The tribes and conservation groups and fishing organizations agreed to stop challenging these irrigators' water allocations. In exchange, they get a community partnering to restore natural resources that are of cultural and economic importance to the tribes and to help them reacquire some of the land they lost 50 years ago.

Complementing all of this and augmenting the natural resource restoration is a plan to remove four antiquated dams and open up new habitat for fish. The private utility that owns these dams agrees that the best business decision is to remove these dams. So this is a win-win situation, or actually a win-win-win-win situation.

Let me give an example of this in terms of water looked at from the perspective of the agricultural community. This chart shows, over a variety of years—2010 through 2014—what the actual deliveries were in acre-feet, thousands of acre-feet, 189,000 acre-feet, and what they would receive in the settlement: substantially more; substantially more in 2011 and substantially more in 2013. So this also provides more water for the refuge, and we can see a change of positive water for the refuge as well.

This is why everyone is coming to the table and finding a path that works better during difficult times for all of the major goals of water management in the region.

The deal is a lifeline for farming and for ranching: tens of thousands of additional acre-feet added and in some cases 100,000 acre-feet of water in some areas; at the same time, stream flows for fish, removing obstacles for migration of the fish, improving habitat. It is a truly remarkable deal.

Community leaders not only developed a visionary agreement, they also remained dedicated to this agreement during some difficult drought years in 2010 and 2013 and low water in 2014. So they could have been shattered, the coalition could have been blown up by these difficult drought years, but instead they viewed it as reinforcing why they needed to come to an agreement to save the ranching and the farming and improve the fish and restore important provisions for the tribes. They have continued to work together while we here in Congress have not acted. Also, they worked on an additional agreement to bring in additional ranchers from the upper basin into the agreement, and that worked as well. They worked to dramatically reduce the cost of the habitat restoration investments that the original plan called for. They drafted a bill with no new spending. The entire agreement was challenged by the litigation of the water rights in that the adjudication of these water rights was finally completed and, for the most part, the Klamath tribes were awarded water rights to time immemorial.

That is a powerful tool. The tribes could have walked away from the table. They could have taken this enormous control over water rights and said the agreement hasn't been implemented; we are walking away and going to use these water rights with maximum leverage.

They created partnerships. They pledged to work together, as all of these groups have, advocating not just for themselves but for the collective future of the community and collective stakeholders.

Quite frankly, this is a remarkable development in what is happening with all of these stakeholder leaders sticking together. Congress is key, however, to passing legislation that implements the provisions of this plan.

It is time for Congress to act. The Senate did its work. The Energy and Natural Resources Committee held hearings under the leadership first of Senator WYDEN and Senator MURKOWSKI, then under the leadership of Senator LANDRIEU and Senator MURKOWSKI. Senator MURKOWSKI, Senator WYDEN, and I were able to negotiate bipartisan revisions of the bill addressing significant and legitimate concerns that had been raised.

We modified Federal authority related to dam removal and requiring Governors to sign off and giving Congress a 1-year period to veto a decision to take out a particular dam. We removed provisions that the Congressional Budget Office said might contribute to the deficit. The Energy and Natural Resources Committee voted the bill out of committee on a bipartisan basis.

The community leaders have gone to work getting even broader statements of support. The Klamath County Chamber of Commerce endorsed the bill. The Klamath County Farm Bureau has endorsed the bill. The Klamath County Cattlemen's Association and the statewide Oregon Cattlemen's Association have endorsed the bill. The Klamath Falls City Council has endorsed the bill, and the Oregon Water Resources Congress has endorsed the bill.

The Senate has been ready to act, but the U.S. House of Representatives has not. Here we are in the last days of this Congress unable to complete this bill. So today I am calling upon our leaders in the House and in the Senate to work together to make this an item of immediate action when we start our new session in January.

The tribe is held back on enforcing its water rights, and the stakeholders have stayed together, saying they were

going to support the multiple provisions for themselves and their partners. But that cannot last forever. Congress has to act to seal the deal. Without cooperation, this vision, so carefully, diligently, and painfully constructed over years of involvement of community stakeholders, will fall apart. What that will do is put the entire farming and ranching community in great jeopardy. We can see hundreds of families lose their water in a matter of months due to Congress's failure to act.

This community has done everything right. They have put aside longstanding tensions and conflicts. They sat down time and time again to work out these complicated provisions. They sought the help of the Interior Department which came and signed off on the agreement. They sought the State government and the Governor to sign off on the agreements. They solicited local support. They put aside damaging rhetoric during times of intense drought over the last couple of years, and they hung together. They have done everything we could have ever asked a group to do to prepare for this legislation to be passed, yet it has not been passed because the House of Representatives has not been ready to act.

We must not let this opportunity escape. We must come back in January with support from the Senate and from the House and complete this deal. This opportunity might not come again.

I ask my colleagues on both sides of the aisle to recognize that when in a region great work has been done to resolve a longstanding conflict, they need Congress to step in and seal the deal, make the agreement real, and implement the agreement. We must give it the utmost attention and help make it happen for the health of the stream, for the welfare of the tribes, for the success of the farming community, for the conditions that make ranching a vital component of the Klamath Basin—for all of these reasons.

I certainly pledge to come back and work toward that end and look forward for us early next year to not be here on the floor lamenting the fact we have failed to complete this agreement but to be here thanking all of those who came together to seize this critical opportunity.

I yield the floor to my colleague from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I ask unanimous consent that following my remarks, the Senator from Hawaii be recognized.

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

TRIBUTE TO JAY ROCKEFELLER

Mr. BROWN. Mr. President, I rise today to honor one of my best friends in the Senate and a long-time public servant whom I greatly admire, JOHN D. ROCKEFELLER IV.

In 1964, in Athens, OH, President Johnson went to Ohio University, and he said:

> Poverty hides its face behind a mask of affluence. But I call upon you to help me to get out there and unmask it, take that mask off of that face of affluence and let the world see what we have, and let the world do something about it.

Several months later, JOHN D. ROCKEFELLER IV, 27 years old, came to West Virginia as a VISTA volunteer. Well-educated and well-connected, JAY ROCKEFELLER could have chosen any career he wanted. But to him, it was about public service.

This year marks JAY's 50th year in public service. He found himself in Emmons, WV. Emmons, WV, is a small town. JAY didn't shy away. JAY didn't keep his distance. He wanted to know the people he was going to be working with, and he set out to do that. For 2 years, he worked alongside the people of Emmons for accessible health care, for education, for opportunities. His work included dismantling and moving a condemned elementary school from a neighboring town onto a flatbed truck, and establishing it in Emmons as a community center.

JAY never forgot that, JAY, who in this Chamber sits across the aisle from me at this desk. I was sitting here 2 weeks ago and JAY was talking about Emmons. He said going to Emmons—and I will quote from his farewell speech 2 weeks ago to the Senate:

> That set my moral compass and gave me direction. Where everything in my real life began. Where I learned how little I knew about the problems people face. I was humbled by that lesson.

He went on to say:

> My time in Emmons was transformative. It explains every policy I pursued and every vote I have cast. It was where my beliefs were bolted down. And where my passion met my principle.

Fifty years ago, JAY learned those lessons. For 50 years, as a VISTA volunteer, as a State legislator, as the Secretary of State, as the Governor of West Virginia, and as a Senator for 3 decades from West Virginia, he learned those beliefs. They were bolted down, and he practiced those beliefs.

In 1966, he was elected to the West Virginia House. Two years later, JAY had an opportunity that most people I know would not have refused.

Robert F. Kennedy was assassinated—the Senator from New York at that time. In June of 1968, the Governor of New York, Nelson Rockefeller—JAY ROCKEFELLER's uncle—offered that appointment to the U.S. Senate to JAY ROCKEFELLER. The Governor offered that position to JAY ROCKEFELLER, and his answer to his uncle was: No, thank you. I want to earn a seat some day in the U.S. Senate.

That is what JAY set out to do. He reminded us a few weeks ago:

> Important undertakings can't be halfhearted. You have to commit your whole self—almost like pushing a heavy rock uphill. With both of your hands you push, because if you let up for a split second with either hand, you and the rock go tumbling backwards into the abyss.

JAY had a chance to prove that in this body over 20 years ago. He pushed that rock uphill to fight to protect retired coal miners' promised health care benefits. It is easy for Members of this Senate who have good titles, who are well paid, who dress like this, who don't really need to go out and listen to the public very much, to forget people like union coal miners or nonunion coal miners.

He called this ''the greatest moment of my career.'' JAY threatened to keep the Senate in session. He was going to do whatever it took—22 years ago, over Christmas, over New Year's, whatever it took—to make sure his colleagues didn't leave town before passing the 1992 Coal Act. Because of his legislation, more than 200,000 coal miners and their families have kept the benefits they were promised.

He spearheaded efforts to ensure workplace safety. I have talked to JAY after coal-mining disasters when miners are killed in one of the most treacherous, difficult, and dangerous jobs we can imagine. I can see the pain in his face because he knows people who work in the mines and he has listened to them.

When Lincoln's staff wanted him to stay in the White House and win the war and free the slaves and preserve the Union, Lincoln used to say, I have to go out and get my public opinion bath. That is what JAY did. A son and grandson of privilege, JAY understood that he served the public best when he got his public opinion bath and when he went out and listened to people. He fought against unfair trade practices, and he fought against tax policies that shipped jobs overseas. He reinvigorated the steel caucus, fighting for an industry that clearly has been victimized by unfair trade practices.

Most importantly in JAY's career—and the thing I think he is most proud of—was another lesson he learned in Emmons, WV. He learned that many of the community school-aged children had never been to a doctor, they had never seen a dentist before because their families simply didn't have the money. Because of that, JAY made accessible, affordable health care for children part of his lifelong mission. He believes that health care is a right and not a privilege.

He championed Medicaid expansion, and he championed this new health care law. It has JAY ROCKEFELLER's fingerprints all over it. That is why hundreds of thousands of people in my State are grateful to JAY ROCKEFELLER, because hundreds of thousands of people in Ohio now have health insurance who didn't have it before. Hundreds of thousands of families have benefited for a couple of decades because their children had health insurance. Again, this is because of JAY ROCKEFELLER.

In 1997, he devoted much of his time and career at that point to help write the Children's Health Insurance Program, CHIP. Because of CHIP, 8 million

children across this country—some of them in Emmons, WV, and some of them in my hometown of Mansfield, OH—now have access to health care, health care that they would not have otherwise. He continues that fight always on health care.

I want to close with this. I have seen a lot of Senators come and go. I have seen a lot of Members come and go. I have seen a lot of public officials come and go. There can be a shortage of humility in these jobs. As Members of the House and Members of the Senate, sometimes we are a little puffed up about our titles and about the power that many of us have, and we are caught up in the way we are treated. People are often obsequious to Members in Congress, and all of that.

What stands out to me—it is even more remarkable when you consider his family and what he came from—is JAY ROCKEFELLER's humility. Here is the best example, I think. I found out almost by accident what JAY, as a member of the Veterans' Affairs Committee, would do regularly during his time in the Senate is he would send all the staff away, he would send the press away, and he would go to someone's home or community center or rec center or labor hall and he would sit with a number of veterans and listen to their stories. He would take notes and help those individually who might need help. Most importantly, he was listening to their stories.

It reminds me of another story from Abraham Lincoln. Lincoln's staff watched him, during one of his public opinion baths, talk to a number of people who were pushing him on something that mattered to them personally.

His staff wanted to send them away. Lincoln said, ''No, I am not going to do that.'' Then Lincoln said—about these people who were talking to him, ordinary citizens outside the White House or anywhere else the President of the United States may have been—Lincoln said: They don't want much. They get so little. Each one considers his business of great importance. I know how I should feel if I were in their place.

I can see JAY ROCKEFELLER meeting with veterans, many of whom had never been thanked for their service. Many of them were suffering from wartime injuries from their time in the service, coming back to West Virginia and eking out a living. I can see JAY ROCKEFELLER saying the same thing: They don't want much. They get so little. Each one considers his business of great importance. I know how I should feel if I were in their place.

Going back 2 weeks ago to JAY's farewell speech across the aisle at this desk, he called upon us to remember that ''our north star must always be the real needs of the people we serve.'' JAY used his farewell speech to exhort us to do better on behalf of miners, on behalf of veterans, on behalf of single parents, on behalf of children, on behalf of sick people, people who do not always get a fair shake in life.

He found his north star in public service, a career he chose because he wanted a mission to complete, a cause to believe in, a dream to follow. He found that mission. He found that cause. He found that dream in Emmons, WV, in 1964. It never left him. That is my friend JAY ROCKEFELLER. For all of that we are so grateful.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise today in support of the nomination of Sarah Saldana to serve as Director of the U.S. Immigration and Customs Enforcement, better known as ICE.

Before I proceed, I would like to thank the good Senator from Ohio for his tributary remarks regarding JAY ROCKEFELLER, an uncommon man of the people.

Prior to supporting Ms. Saldana's nomination in the Judiciary Committee, I did have a chance to meet with her. Growing up in a large family near our southern border in Corpus Christi, TX, Ms. Saldana managed to overcome hardship and become the first Latina U.S. Attorney in Texas history.

Sarah Saldana is fully qualified to serve as ICE's Director. She is a senior Federal law enforcement official for a border State district that spans almost 100,000 miles. Ms. Saldana has been on the ground in Texas and fully understands the complexities and challenges we face with our immigration system.

Republicans and Democrats agree that our immigration system is broken. Until recently, we also agreed, Republicans and Democrats alike, that Sarah Saldana needed to be confirmed as the Director of ICE. However, now Republicans are playing politics with this nomination to a critical homeland security agency. ICE is responsible for important law enforcement issues that make us all safer and has been without a permanent Director for over a year.

ICE's 19,000 people are responsible for enforcement of our immigration laws, for drug interdiction, for fighting child exploitation, and for keeping us safe from national security threats. The Senate needs to do its job and let Sarah Saldana get to work as the permanent Director of ICE. I understand that some of my colleagues on the Republican side now oppose Sarah Saldana because of the President's Executive order on immigration.

President Obama's Executive action allows millions of fathers, mothers, and students to step out of the shadows, pass background checks, work legally, and pay their taxes. The President's action is rooted in the reality that our immigration system is broken and that we need to exercise prosecutorial discretion on who to go after with our limited resources.

As Director of ICE, it is Ms. Saldana's responsibility to focus on homeland security resources on deporting felons and other criminals who have crossed our borders. It is simply not possible for the Federal Government to remove all 11 million undocumented persons in this country.

That is another point on which most Republicans and Democrats agree. We have to prioritize the resources we have. That is what the President's order does. It prioritizes deporting felons, not families. Let me repeat that: Deporting felons, that is all we need to do, not breaking apart families. President Obama's action is grounded on precedent and Executive powers.

Every single President since Eisenhower has used Executive action to provide discretionary relief from deportation. Nonetheless, the President's critics have relentlessly attacked the legitimacy of his action. Some of my colleagues have emphasized that we must enforce our immigration laws and secure our borders in their opposition to Ms. Saldana.

Ironically, my Republican colleagues are opposing the nomination of the Director of an agency responsible for these very things: securing our border and enforcing our immigration laws. Some Republicans do not even want to fund the Department of Homeland Security at all.

Those who are concerned about immigration enforcement and border security should ask themselves: How does opposing Sarah Saldana's nomination and putting DHS funding in question make our borders more secure? How do these actions ensure effective enforcement of our laws? They do not.

If you want to truly and permanently address our broken immigration system, we need Congress to work together to pass comprehensive immigration reform, which the American people overwhelmingly support. It has been over a year since comprehensive immigration reform was passed on the Senate floor. Congress must continue working to pass commonsense, humane reform that puts families first.

As the President himself has said, Executive action does not replace congressional action. To those in Congress concerned with what he has done, we need to step up. We need to pass comprehensive reform. But in the meantime, we need to confirm Sarah Saldana so she can get on with the job at ICE.

I urge my colleagues to vote yes on her nomination.

ORDER OF PROCEDURE

I ask unanimous consent that the Senate now recess until 2:15 p.m.; that following the 2:30 p.m. votes, the clerk report Executive Calendar No. 1150, the Blinken nomination, and the time until 5 p.m. be equally divided in the usual form, with all other provisions of the previous order remaining in effect.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:08 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF SARAH R. SALDANA TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided in the usual form.

Who yields time?

If neither side yields time, both sides will be equally charged.

The Senator from Delaware.

Mr. CARPER. Madam President, I rise today to urge my colleagues to vote in a few minutes to confirm Sarah Saldana to be Assistant Secretary for Immigration and Customs Enforcement.

A number of our friends have come to the floor opposing Ms. Saldana's nomination, but incredibly enough, I have not heard them question her qualifications. Their opposition appears to be in response to the President's decision to bring 5 million hard-working, law-abiding immigrants out of the shadows earlier this month.

Let me just say, as one Member of the Senate, we can quarrel about the timing and we can quarrel about the policy. I think for the most part the policy in the President's proposal is good. Do I wish we had done it as a body? Do I wish we had done our job? You bet I do. But I wish the President had delayed the announcement until a little bit later this year. He did not. So that is where we are.

Whether you like the President's Executive order or not, today it is about whether we take our responsibility seriously to ensure that Federal agencies have the leadership they need to operate efficiently and effectively.

The single most important ingredient of any organization, I do not care whether it is a governmental entity—I spent some time in the Navy—whether it is a military unit, whether it is a sports team, whether it is a school, business, whatever it might be, the single most important ingredient to the success of that entity is leadership.

This is an agency where we are talking about filling a big gap in leadership in Immigration and Customs Enforcement. We call it ICE. It is critical. It is a critical law enforcement agency within the Department of Homeland Security. Listen to this: It has been without a Presidentially appointed leader now for more than 16 months. That is far too long, particularly when we consider all the issues we face along our borders and the more than 400 laws that this agency, Immigration and Customs Enforcement, enforces.

The agency plays a critical role in securing our borders. They take dangerous criminals off the streets. They send them back to their own countries in many instances. In fact, on any given day ICE arrests some 370 criminal aliens in the interior of our country, they have some 34,000 people in detention in this country, and they remove nearly 500 criminal aliens from our country ever day. Every day all that happens.

Managing such a large agency, with one of the most complex missions in the Federal Government, is a tall, tall order. This mission is made all the harder when the agency is forced to go month after month without permanent leadership.

Immigration and Customs Enforcement had the unfortunate distinction of finishing last in the annual survey of employee morale among Federal agencies. That is right—actually, not last; they were tied for last. In how many agencies were the employees really quizzed or questioned about whether they are satisfied with their work? They finished last out of not 100, not 200, not 300, but out of 314 agencies. When I visited the agency recently, employees told me that one of their biggest frustrations was the lack of Senate-confirmed leadership. Thankfully, this is one problem we can remedy, and we can remedy it today.

Ms. Saldana is a true American success story. She rose from humble beginnings in South Texas as the youngest of seven children. She went on to become an accomplished partner at a major law firm. She is now one of the Nation's top law enforcement officers. She could not be more qualified to lead Immigration and Customs Enforcement.

But do not take my word for it. One of our good friends here in the Senate, Mr. JOHN CORNYN, the senior Senator from Texas, felt strongly enough about her qualifications that he was good enough to come and introduce Ms. Saldana at her confirmation hearing before the committee I chair and the Presiding Officer serves on, the Committee on Homeland Security and Governmental Affairs. Senator CORNYN told us that day that she was highly qualified, fiercely independent, and had served her State with honor.

This is what he said:

> If respect for the rule of law is our standard, and I think it should be, we would be hard pressed to find a person more qualified to enforce the law than Ms. Saldana.

His comments. That is high praise, and I could not agree more.

Nevertheless, Senator CORNYN and some of his colleagues now oppose Sarah Saldana's nomination—not because she is unqualified, not because she does not work hard, not because she does not have good values, but because she will have to carry out the President's recent Executive order on immigration. That may be understandable. I think it is also unfortunate. It does not punish the President to leave this position unfilled. It does not just punish the employees to leave this position unfilled. In the end, it punishes the citizens of this country. It makes it harder for Immigration and Customs Enforcement to accomplish its critical mission of helping to secure our borders. It makes it harder for them to do their job in terms of taking dangerous criminals off of our streets. And it hurts the men and women at ICE who deserve a leader to ensure this important agency runs as effectively as possible.

I believe the President acted within the bounds—I know not everyone agrees with me on this, but I believe the President acted within the bounds of the law in announcing his Executive action. While I may quarrel with the timing of it, I also feel very deeply if we—not in this body but in the other body on the other side of the Capitol—had done our job with respect to immigration reform, we would not have this dustup today over this nomination. But whether or not you agree with me, opposing Ms. Saldana's nomination will do nothing to change what the President has done—nothing.

I said it before; I will say it again. It is irresponsible for us to leave a critical agency such as this without a proven leader. It has been more than 16 months. It should not be another month or two or three.

So I hope Ms. Saldana—the first Hispanic person and the second woman ever to be nominated to run Immigration and Customs Enforcement—does not fall victim to politics here in the Senate. By all accounts, she is exactly what this critical agency needs: a proven leader, a respected member of the law enforcement community.

I urge all of my colleagues—Democratic and Republican and even the two Independents who are here with us serving their States—I urge you to support her. I am proud to do that today.

Thank you, Madam President.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Sarah R. Saldana, of Texas, to be an Assistant Secretary of Homeland Security.
>
> Harry Reid, Thomas R. Carper, Patrick J. Leahy, Patty Murray, Tom Udall, Brian Schatz, Charles E. Schumer, Barbara Boxer, Benjamin L. Cardin, Richard Blumenthal, Jeff Merkley, Al Franken, Robert P. Casey, Jr., Martin Heinrich, Elizabeth Warren, Richard J. Durbin, Christopher Murphy.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Sarah R. Saldana, of Texas, to be an Assistant Secretary of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER)

and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), and the Senator from Alabama (Mr. SESSIONS).

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

The yeas and nays resulted—yeas 53, nays 41, as follows:

[Rollcall Vote No. 359 Ex.]

YEAS—53

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

NAYS—41

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

NOT VOTING—6

Boxer	Cochran	Sanders
Chambliss	Johanns	Sessions

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 41.

The motion is agreed to.

Mr. LEAHY. Madam President, today, we will vote on the nomination of Ms. Sarah Saldaña to serve as Assistant Secretary of Homeland Security, where she will lead the Immigration and Customs Enforcement, ICE, office. Ms. Saldaña has been considered and favorably reported by both the Senate Homeland Security and Government Affairs Committee and the Senate Judiciary Committee.

A native of South Texas, Ms. Saldaña is the youngest of seven children. Inspired by her mother's emphasis on education, Ms. Saldaña went to college and graduated from law school. She established a successful career as an attorney in private practice before becoming a Federal prosecutor. In 2011, with the support of her home State Senators from Texas, the Senate unanimously confirmed her as U.S. attorney for the Northern District of Texas, and she became the first Latina U.S. attorney in the State's history. In this position, Ms. Saldaña has earned a reputation as a tough but fair prosecutor. Throughout her career, she has demonstrated a firm and unequivocal commitment to enforcing the law, and she has pledged that she will maintain that commitment if confirmed to lead ICE.

At her hearing before the Senate Homeland Security and Government Affairs Committee in September, Senator CORNYN introduced Ms. Saldaña and vouched for her qualifications, stating: ''If respect for the rule of law is our standard . . . we would be hard-pressed to find a person more qualified to enforce the law than Ms. Saldaña.'' I agree. Ms. Saldaña has made clear that, if confirmed, she will ''faithfully execute all immigration laws, including those laws that [she] or the President disagree with.''

Some want to use Ms. Saldaña's nomination as an opportunity to attack President Obama's Executive action on immigration, but that is not the issue we are considering today. There is no evidence that she was involved in either the House's refusal to allow a vote on the Senate-passed comprehensive immigration reform bill or the President's decision to take what steps he could in the wake of the House's refusal to act. The vote before us concerns Ms. Saldaña's qualifications to lead ICE, and she has proved that she is more than capable of executing the duties of the position. Immigration and Customs Enforcement has been without a Senate-confirmed leader for more than a year. If Senators want our immigration laws enforced, they should focus on filling this key leadership position.

There is no question that Sarah Saldaña is qualified to lead the Immigration and Customs Enforcement office. I urge Senators to vote to confirm her to this important law enforcement position at the Department of Homeland Security without further delay.

Mr. ENZI. Madam President, I wish to express my opposition to the nomination of Sarah Saldaña to be Assistant Secretary of Homeland Security.

My concerns are not based on Ms. Saldaña's qualifications. In fact I supported reporting her out of the Homeland Security and Governmental Affairs Committee on November 12, 2014 with every other member of that committee. However, in the wake of the President's unilateral changes to our immigration policies through Executive actions, I cannot support her confirmation at this time.

The head of Immigration and Customs Enforcement is responsible for enforcing Federal laws governing border control, customs, trade and immigration. But last month President Obama announced that he and his Cabinet do not intend to deport several million illegal immigrants, and I cannot vote for someone who will not enforce our laws.

By circumventing Congress on immigration and instituting his will through Executive actions last month, President Obama is eroding the very foundation of our country and form of government. This sets a dangerous precedent where future Presidents can flout any law they happen to disagree with and alter the law without going through Congress. Each branch of government is to act as a check against the others and not sit idly by as one exercises authority it does not have.

For these reasons I must oppose Ms. Saldaña's nomination at this time.

Under the previous order, all postcloture time has expired. The question occurs on the nomination.

The question is, Will the Senate advise and consent to the nomination of Sarah R. Saldana, of Texas, to be an Assistant Secretary of Homeland Security?

Mr. WICKER. 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 assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), and the Senator from Alabama (Mr. SESSIONS).

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

The result was announced—yeas 55, nays 39, as follows:

[Rollcall Vote No. 360 Ex.]

YEAS—55

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

NAYS—39

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

NOT VOTING—6

Boxer	Cochran	Sanders
Chambliss	Johanns	Sessions

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid

upon the table, and the President will be immediately notified of the Senate's action.

NOMINATION OF ANTONY BLINKEN TO BE DEPUTY SECRETARY OF STATE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Antony Blinken, of New York, to be Deputy Secretary of State.

The PRESIDING OFFICER. Under the previous order, the time until 5 p.m. will be equally divided in the usual form.

The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR NO. 1058

Ms. MIKULSKI. Mr. President, I come to the floor with my colleague Senator BEN CARDIN from Maryland.

Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order. Take your conversations out of the Chamber.

Ms. MIKULSKI. Does that mean all conversations, Mr. President?

The PRESIDING OFFICER. Please take your conversations outside the Chamber. Thank you.

Ms. MIKULSKI. Mr. President, I am on the floor, along with my colleague Senator BEN CARDIN from Maryland, to advocate for Carolyn Colvin to be confirmed as the Social Security Commissioner, making her the chief executive officer of the Social Security Administration.

I am very frustrated that her nomination has become a casualty of the Senate clock and unfair attacks by some Members of the Republican Party. We need a Social Security Administrator and we need a competent, qualified person to lead it and that is Carolyn Colvin. Ms. Colvin's nomination is important because the work of the Social Security Administration is important.

Over 60 million Americans rely on Social Security—900,000 in Maryland. Seniors, individuals with disabilities, and children depend on the benefits and services of the Social Security Administration. It is a big agency with big responsibilities. It supports 63,000 Social Security employees; 11,000 are in the Social Security headquarters in Woodlawn. It is not about the numbers, it is about what they do.

Guess what they do. They administer $950 billion in benefit payments, approximately 25 percent of all government spending. Last year over 40 million people came to its field offices, 47 million people called the 800 number, 5 million came for retirement, 2.8 million came for their disability. I go through the numbers because it shows an agency, with the magnitude of its responsibility, making sure we determine who is eligible for Social Security, that there is no fraud in Social Security, and that it is administered in a competent, careful way for the American people.

That means you have to have a permanent Administrator; you cannot have someone acting. That is why we go to Carolyn Colvin. She is skilled. She is seasoned. She is experienced. She started out as a clerk at Social Security, and in her public service she has risen through the ranks in a variety of very important positions, being well known and well respected, and is an excellent public administrator. She is a problem solver, she is a reformer, and she has been the Deputy since December 2010 and Acting Commissioner since February 2013.

I am frustrated at the attacks on Ms. Colvin. It is about a techno boondoggle that began under her predecessor, not under her. In fact, she commissioned the McKinsey & Company to study the problem. The minute she wanted to get to the bottom of the problem, she was accused of all kinds of things.

Everything has been referred to the inspector general. They said let's wait for the inspector general. Guess what. The inspectors general keep recusing themselves for this reason or that reason. While they are recusing, the Republicans are using it as excusing, and we can't get to Carolyn Colvin.

For those who need Social Security, as well as for those who want to make sure the benefits are administered competently, we need a permanent Administrator.

Mr. President, I ask unanimous consent that the Senate proceed to the following nomination: Calendar No. 1058, the nomination of Carolyn Watts Colvin to be the Commissioner of Social Security; and further that the Senate proceed to vote on the confirmation of the nomination; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; and that no further motions be in order to the nomination; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Reserving the right to object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. No, Mr. President; reserving the right to object.

I spoke at length on the floor about my opposition to confirming Ms. Colvin at this time. While I do not doubt Ms. Colvin's qualifications for this position, there is a cloud hanging over her nomination, and I do not believe the Senate should move forward with her confirmation until that cloud is removed.

Since Ms. Colvin's nomination was reported out of the Finance Committee, several sources, including the House Ways and Means Subcommittee on Social Security, the House Oversight and Government Reform Committee, and individual whistleblowers have reported that the Social Security Administration, over a 6-year period, burned through $300 million in a failed attempt to develop and implement the Disability Case Processing System or DCPS. Some of this happened on Ms. Colvin's watch as she has served as Acting Commissioner of the SSA.

Sadly, it gets worse. We also heard allegations from multiple sources that SSA officials intentionally misled the agency's inspector general, as well as Congress, about the deficiencies in the development of the DCPS in order to facilitate Ms. Colvin's confirmation in the Senate.

These are serious allegations, and an investigation—one that may very well conclude a criminal element—is ongoing. Once again, Ms. Colvin currently serves as the Acting Commissioner of SSA. This investigation includes people working in her immediate office.

Put simply, the Senate should not move forward on her nomination until this matter is resolved. I intend to work with our two colleagues from Maryland to see if we can resolve this issue. It may very well be that Ms. Colvin has done nothing wrong. I voted for her out of committee. I certainly hope she has done nothing wrong. I hope that is the case. But we should at least be sure before we move her nomination forward; therefore, I have to object at this time.

I believe my colleague Senator ISAKSON may have some comments on this matter as well.

I will surely try to work with my colleagues and see if we can expedite this if there is no problem.

I have nothing against Ms. Colvin at all. In fact, I interviewed her in my office. I quite enjoyed meeting with her.

We will see what we can do to move this forward, but as of right now I have to object.

The PRESIDING OFFICER. Objection is heard.

The junior Senator from Maryland.

Mr. CARDIN. Mr. President, I greatly respect Senator HATCH and his respect for the integrity of our system. I know he is acting with his sincere beliefs, but I am disappointed and I need to say that.

The inspector general's report is a serious investigation. It involves episodes that took place during the previous administration in which the Commissioner was appointed by a Republican. There is no indication at all of Carolyn Colvin being the subject of the investigation.

In fact, she has tried to take steps to be totally open and transparent about what has happened and has been totally forthcoming with our committee, the Ways and Means Committee, in providing information.

I wish to stress what Senator MIKULSKI said about the urgency of this matter. If we don't confirm her during the lameduck session, it will be more than 2 years that the Social Security Administration has operated without a

confirmed Commissioner. This is one of the most important agencies in the government.

As an Acting Commissioner, she cannot appoint her key team in order to carry out the responsibilities of the Social Security Administration. The morale of the agency is very much impacted when you can't get a confirmed Commissioner. Quite frankly, the Senate Finance Committee recommended her appointment 3 months ago, and as Senator HATCH pointed out, it was a 22-to-2 vote. The vote in the Senate Finance Committee at that time was not even close, and now we cannot get her confirmed.

As Senator MIKULSKI pointed out, we know Carolyn Colvin. She started out as a stenographer clerk at the Social Security Administration in the 1960s while working her way through college. She went on to become the Deputy Commissioner, carrying out major responsibilities.

Her passion has always been for public service. She was the secretary for human resources for the State of Maryland. She knows State; she knows Federal. Her whole life has been devoted to public service. She is a very honorable person and is dedicated to leading the Social Security Administration.

We have some very critical issues in the next Congress, and we may have some different views on some of those issues, but that is what this Senate is about—to debate those issues. But we need to have a confirmed Commissioner in place to help us sort through the challenges we face. Tens of millions of Americans depend upon the Social Security system. They demand accountability, not just from us but from the agency. How can you have accountability if you don't have a confirmed Commissioner?

All I can say is we have a qualified person who has gone through the process and has been recommended by the committee. She has all the talent, commitment, and drive to do the job, and it looks like we are not going to be able to get this person confirmed. If we don't confirm her now, we will have to wait until the next Congress and start all over again, and we don't know how long that will take.

I appreciate Senator HATCH's willingness to work with us, and I know we will work together on this issue. Senator HATCH has always been an honorable person—and I very much appreciate that—to work with on so many different issues, but I have to express to my colleagues my deep disappointment that we cannot get this nomination up for a vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I have the greatest of regard for my two colleagues from the State of Maryland, and I respect their passion for this nominee, but I rise to support delaying the advancement of Carolyn Colvin for the Social Security Administration, and I wish to explain why. In fact, my reasons somewhat address some of the reasons for my urgency.

I interviewed Carolyn Colvin on July 29 as a nominee to come before the Finance Committee in my office, as I do with every nominee who will talk to me. It was 2 days after the 2014 trustee's report of the Social Security Administration—a report that talked about the disability trust fund being in danger by 2016 and Social Security being in danger in 22 years.

I asked her questions about what she would recommend to us to fix the unfunded mandates that would be coming up with Social Security. Her answers were at best glib and at worst nonexistent.

I was one of the two votes against her nomination that Senator CARDIN referred to in the committee because I didn't feel I got the kind of passionate answer I needed from her as someone who was going to run the Social Security Administration.

Subsequent to that vote, and before today's debate, the issue came up arising from the disability technology problem and the investigation that is taking place at the Social Security Administration.

I recognize this implementation took place before she was in the position she is now in, but she is in a position of responsibility at the Administration. So until that investigation is complete, I think it would be a rush to judgment to confirm her for the position.

I don't get up and oppose many people on the floor of the Senate. I take my job very seriously, but I do represent the people of my State—those who are Social Security beneficiaries today and those who will be beneficiaries in the future.

I was reading an announcement today about the chief counsel, who is also the State director in my office in Georgia, Edward Tate. He and his wife recently had a baby, Whitaker McMillan Tate, born 4 months ago. Seventy years from now he will probably be a beneficiary in the Social Security Administration. We have to fix it in some way so it is there for him in the future.

I want to make sure the appointees we approve in this Senate are appointees—while they have the Social Security Administration under their care—who will do the things I would want them to do so when I am long gone, those children who will be beneficiaries in the future will have the funds and the money and the Administration to see to it that they are paid.

Reluctantly, but for reasons of commitment, I object to the advancement of the nomination of Carolyn Colvin to the Social Security Administration.

I yield the floor.

Ms. MIKULSKI. To be continued.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TAX INCREASE PREVENTION ACT

Mr. HOEVEN. Mr. President, I am here this afternoon to talk about the Tax Increase Prevention Act. I have been speaking on this issue and I intend to speak on it until we get this legislation passed. I am hopeful that we will get this legislation moved tonight or maybe even tomorrow. But in any event, we need to get this very important legislation passed this week to make sure that taxes don't go up on our small businesses, farmers, and the hard-working citizens of this country. That is why I have been down talking about the legislation and its importance, and I have also been presenting and reading letters and emails from my constituents who have been contacting me about the importance of getting this done. I want them to be heard because they know very well how heavy their tax burden is and why we need to make sure they get relief for their families and for their businesses. I am talking about family farmers, men and women who work long hours and long days on the farm. I am talking about small business owners, manufacturers, shopkeepers, the whole gamut of small businesses across this great country, your neighbors and mine.

First I am going to talk about some of the provisions in the legislation. I am going to start with one that is incredibly important for farmers in my State but really for small businesses across the country, as I said earlier. That is the section 179 small business expensing and depreciation provision.

The section 179 small business expensing limitation and phaseout amounts in effect from 2010 to 2013 through 2015: Taxpayers can expense up to $500,000 of acquired business property, rather than the current level of expensing $25,000 and $200,000 respectively. The $200,000 is on the depreciation.

The section 179 expensing and depreciation provision is very important for small businesses. It is very important that we get it in place now because they are doing their year-end planning, and they are doing their tax planning. They need to know the rules of the road. They need to know what they can expense and what they can depreciate and how much. It is not just an issue of preparing their tax returns; it is also very much an issue in terms of their planning for next year. What equipment do they buy? If you are a farmer, what ag equipment do you buy? If you are a small manufacturer, what manufacturing equipment do you buy? What repairs do you do? Can you expense those repairs or do you have to go through an elaborate process of setting up a depreciation schedule and then depreciate that repair over a long period of time?

These are things that make it very difficult to do business for small businesses and also impede their willingness and their ability to go out and buy equipment and to make those needed repairs to keep their operation running. That hurts our economy. That hurts job creation in our country. It is very important. The section 179 provision is incredibly important to our farmers and small businesses throughout the country.

Also, another very important provision is the bonus depreciation for property that is placed in service during 2014 or, in some cases, 2015 for property with a longer production period. If we are not allowed to take that depreciation, you may not buy that new equipment. If you don't buy that new equipment, obviously that has ramifications all the way through our economy.

There are eight provisions in the legislation for individuals, including the deductibility of State and local sales tax, the deduction of certain expenses for elementary and secondary schoolteachers, the extension of the above-the-line-deduction for qualified tuition, and the extension of tax redistributions from individual retirement plans for charitable purposes.

Also included in the legislation are a total of 30 business-related provisions in addition to section 179 and the bonus depreciation. They are very important and make a big difference in terms of the taxes our businesses will be required to pay.

The legislation includes the research and development tax credit that allows companies a 20-percent credit for incremental qualified research expenses or a 14-percent alternative simplified credit for R&D performed in the United States. I will use an example. We have a large Microsoft location in my State, in Fargo. They employ more than 1,700 people at their campus in Fargo.

I am going to use Microsoft as an example. Microsoft is on a pace to spend over $12 billion on research and development this year, primarily on U.S. jobs. Other countries are competing for the same R&D investment from Microsoft and other companies. Many of them have lower corporate income tax rates, they have stable R&D incentives, and plenty of research and development talent. A consistent and stable U.S. R&D tax credit gives businesses such as Microsoft an incentive to invest and do that research and development in the United States versus some other country.

Again, we are talking about not only economic activity and jobs in our country, but we are talking about innovation right in our country that drives job creation and economic growth. As I said, the real key, I believe, is the impact this legislation has on small business across this country. Small business is the backbone of our economy.

I want to take a few minutes to read some more of the letters and emails I have been receiving on the importance of passing this legislation and putting in place the section 179 expensing and depreciation for our small businesses.

The first letter I am going to read is from Wayne Hauge, a CPA from Ray, ND, a small town in North Dakota. He is speaking on behalf of many of his clients. He writes:

> Senator Hoeven, what about the IRC Section 179? $25,000 is far too low of a limit, and should be eliminated if that is all that can be expensed in a year. Far better would be reinstating prior limits and making such a change permanent.
>
> A farmer does not plan a crop after you've harvested it. You plan it a year in advance. Income tax planning is the same. It is an extremely poor financial planner who decides to buy something based on an ever-changing tax policy, and after the fact.
>
> I realize the political system in this country is stagnated, with refusals by both parties to agree on anything. But the time is now to put some semblance of future planning back on the table and help us to stay on top of the game, rather than whining about what should have been done.

We owe it to Wayne and his clients to get this bill done before we leave.

Here is another one. This one is from Mike Van Gorkom with Titan Machinery in Wishek, ND. Titan Machinery is a dealer for Case IH, Case Construction, New Holland, and New Holland Construction. Titan Machinery also represents Titan Rentals, Titan Aggregate, and a varied list of short-line equipment to meet specialized customer demand and niche product needs.

> I was just wondering if anyone can tell me when to expect a vote on extending Section 179 tax deductions. I have been following this bill along with many of my customers. Many farmers are waiting to purchase equipment from me until they find out if they can use it for this year's deductions or wait until next year. Thank you and have a nice day.

Lawrence D. Stockert, a small business owner in Bismarck, ND, wants to purchase new equipment this year, but he is not certain he can because we have yet to pass the tax extender package. He writes:

> I would like to know if there is a possibility for the Senate to pass the increases in the Section 179 depreciation rules. The previous year's provision enabled me to buy new equipment. Can you take this bill to the Senate and get it passed? I would like to purchase additional equipment this year as well.

Then from Stephen Stafki, vice president of service, General Equipment & Supplies in Fargo, ND. He is concerned about the bonus depreciation provision in the extender package. The Tax Increase Prevention Act extends the 50-percent bonus depreciation to property acquired and placed in service during 2014 or 2015 for certain property with a longer production period. He writes:

> Senator Hoeven, I am writing to you to express my support for passing bonus depreciation before the end of 2014. As a small business owner this legislation is crucial to us and our customer base. I truly hope you will fight to push this legislation through Congress and garner enough support to be able to override any Presidential veto.

The last letter I would like to read today comes from Jay Hansen of Fargo, ND. It is especially telling, because like the earlier letter I read from a CPA, he is also a CPA. Essentially he is speaking for the 1,000 farmers whom he does work for.

> My name is Jay Hansen. I am a CPA working for Iver Eliason CPA PC in Minot, ND. We have approximately 1,000 farm clients who rely heavily on depreciating farm machinery as part of their overall tax planning strategy. With the discussion regarding the tax extender bill being on the agenda before the end of the year, we are curious to know if you have any insight on what we can expect and when we can expect it. Any information you can provide me regarding the Section 179 expense deduction would be greatly appreciated.

So time is of the essence. We are days from the end of the tax year, days away from the holidays. Millions of Americans are depending on us to spare them a burden that will hurt their businesses and hurt their families. If we do not act, taxes will go up on hard-working Americans, on small businesses across this country, on farmers. So we need to act. We need to make sure that does not happen. We need to pass the legislation we have here on the floor. We need to get it done now.

So I urge my colleagues to join together in bipartisan fashion and get this done. Let's pass the Tax Increase Prevention Act and make sure we do not see a tax increase on our small businesses and the hard-working taxpayers of this great Nation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, we are winding down the end of this year and, indeed, the end of this Congress, and I am here today to give the last ''Time to Wake Up'' speech in this Congress. I am particularly pleased to be delivering it while my friend from West Virginia is presiding. He actually took the trouble to come to Rhode Island and hear firsthand about what is happening in my State on these issues.

The year that is ending now ushered in some mighty dubious milestones. January through November 2014—the year so far—were the hottest first 11 months of any year recorded. Unless something dramatic changes in December, 2014 is on track to be the hottest year since we began keeping records back in 1880. That would mean that 14 of the warmest 15 years on record were in this century. According to the World Meteorological Organization's secretary general, ''There is no standstill in global warming.''

This chart shows the decades-long rise in the ocean's heat content from the surface down to a depth of 2,000 meters—a little over 1 mile. Look at 2005 to 2014, the red part. NASA estimates that the amount of energy needed to

account for that much warming in that much ocean is equivalent to four magnitude-6.0 earthquakes occurring every second for those 9 years. Four 6.0 earthquakes every second for 9 years would create the kind of energy necessary to warm that much. Well, obviously it wasn't earthquakes that did it. We would have known about that. And the first law of thermodynamics—conservation of energy—decrees that all that heat in the ocean had to come from somewhere. The near certain source of that heat is increased greenhouse gases, mostly carbon pollution trapping heat from the Sun.

Since the rise of fossil fuel energy, we have been on a carbon binge. As long as humans have been on the Earth, we have existed safely in a range of about 170 to about 300 parts per million carbon dioxide in the atmosphere. This year the concentration of carbon dioxide in the atmosphere, measured at the famous Mauna Loa Observatory in Hawaii, exceeded 400 parts per million for more than 3 months. Archeologists estimate that our human species has been around on this planet for about 200,000 years. The Earth last saw such high levels of carbon as 400 parts per million for that long a period more than 800,000 years ago.

Oceans have absorbed more than 90 percent of the excess heat that the carbon has trapped. As seawater warms—we all know by the law of thermal expansion—it expands, and as a result sea levels rise. Satellite measurements show that in this period, global average sea level rose about an inch. NASA's Jet Propulsion Laboratory attributes about one-third of global mean sea level rise to the warming of the upper ocean. Combine that with the melting of glaciers on land, and you can see that climate change is significantly increasing sea level worldwide. In my home State I see this. And the Presiding Officer was there. The Newport tide gauge records nearly 10 inches more water than it did in the 1930s.

Carbon pollution in the atmosphere also dissolves in the ocean. It doesn't just warm it up, it dissolves in it. When it dissolves in it, it makes it more acidic. Indeed, the extra carbon dioxide that humans have pumped into the oceans has caused a nearly 30 percent increase in the acidity of the upper ocean, which means a lot for shellfish, such as mussels and clams and oysters, that make their shells from calcium carbonate because calcium carbonate dissolves in acidified seawater.

In July 2014 a Maine oyster farmer—a guy named Bill Mook—came to the Environment and Public Works Committee and described for us the difficulty his oyster crop—his oyster spat, they call it—had maturing. Here is what he said:

> Through observation, trial, and error, we reached the same conclusion made by researchers using controlled, replicated experimentation. Acidification is not a future problem. It is a problem now, and it will only get worse.

He said it is a problem now and it will only get worse.

Measurements of the atmosphere and ocean tell us that climate change is real. We already see the harm connected with it in storm-damaged homes, flooded cities, drought-stricken farms, and raging wildfires, in fish disappearing from warming, acidifying waters, in shifting habitats and migrating contagions. Climate change loads the dice for these events, which carry real costs to homeowners, business owners, and taxpayers. A key cause is undeniably carbon pollution.

Some of my Republican colleagues continue to deny that climate change is even happening or at best they will stand mute in the face of the changes we see, in the face of so much evidence. ''I am not a scientist'' is all we get from some. Well, if they are not scientists, maybe they should ask one. Ask NOAA. Ask NASA. Ask our National Academies. If a Senator doesn't know what they are talking about, they should study up. That is our job. If they can't be bothered to ask a scientist, then look at what the military is saying about climate change or what the business community is saying.

The military's 2014 Quadrennial Defense Review, for example, offers a straightforward assessment of the threat climate change poses to national and international security. Even in Pentagon bureaucratese, the assessment is pretty harsh:

> Climate change poses [a] significant challenge for the United States and the world at large.
>
> Climate change may exacerbate water scarcity and lead to sharp increases in food costs. The pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world.

The Pentagon also released a Climate Change Adaptation Roadmap this year, detailing the military's plans for a changed climate. The report states in no uncertain terms:

> Climate change will affect the Department of Defense's ability to defend the Nation and poses immediate risks to U.S. national security.

That would seem to me to be a phrase worth listening to.

The business and financial community also see climate risk. Former Bush Treasury Secretary Hank Paulson teamed up with former New York City business tycoon and Mayor Michael Bloomberg, former Republican Senator Olympia Snowe, and others, to put together an evidence-based assessment of the risks posed by climate change to the U.S. economy. Their report found that between $66 billion and $106 billion worth of existing American coastal property will likely be below sea level by midcentury. That pricetag could top $500 billion by the end of the century.

They also found extreme heat could reduce labor productivity of outdoor workers by as much as 3 percent by the end of the century.

They found that shifting agricultural patterns could cause States in the Southeast, the lower Great Plains, and Midwest to see a 50- to 70-percent loss in average annual crop yields. It is a risk we would be reckless to ignore.

One bright light of 2014 has been the proposed limits on carbon emissions from existing coal plants announced this year by the Obama administration. The new standard will not only reduce emissions, it will change the way the polluters think. Now that it is no longer going to be free to pollute, I suspect some new thinking by polluters will be followed in short order with some new thinking on the other side of the aisle here in the Senate.

Another bright light of 2014 was the Obama administration's carbon-reduction agreement with China, the world's largest carbon polluter now, followed by news this weekend from Lima that every nation in the world is expected to put forward a plan to rein in its carbon pollution.

The public is with us on this, too. A recent poll released by the insurance firm Munich Re showed that 83 percent of Americans believe the climate is changing.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WHITEHOUSE. I ask unanimous consent for 1 additional minute to conclude the page in front of me.

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

Mr. WHITEHOUSE. Seven Americans in ten say we should use more solar and wind power to battle climate change. An AP poll released this week said that half of Republicans favor regulations on carbon dioxide emissions.

In 2014, the physical evidence of climate change continued to mount. Our military, our business leaders, our President, and the American people all affirmed their commitment to fending off the worst effects of carbon pollution. So in 2015, Congress will need to step up to the plate.

I have introduced carbon fee legislation that would provide a practical tool for getting this done. By charging a fee on carbon pollution, we can correct the market failure that lets polluters unload the costs of their pollution on the rest of us, and compete unfairly in energy markets. We can use those proceeds to reduce other taxes. Most important, we can significantly reduce harmful carbon pollution. We just need to wake up. Maybe 2015 will be the year.

I thank the Senator from Oklahoma for his courtesy, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

SOCIAL SECURITY DISABILITY PROGRAM AND FRAUD

Mr. COBURN. Mr. President, I hope not to use all our remaining time. But I come to the floor to talk about an issue that should be very important to every American.

In less than 20 months, the Social Security Disability system will be bankrupt—out of money. That may sound

like just a scare tactic, but that is what the trust fund trustees say. And we have known this for some time.

My colleague CARL LEVIN, as chairman of the Permanent Subcommittee on Investigations, and myself as ranking, have spent a great deal of time oversighting Social Security disability. We issued a report that had some pretty remarkable findings in it. I thought I would go through some of those findings today, because I have two major concerns.

One is that those people with true disabilities are going to see in 18 months a 20-percent cut in what they get paid each month, and they are barely surviving on the disability payments we give them today.

The second thing is the failure of the Justice Department, when handed an absolutely, totally perfect case to prosecute criminals taking advantage not only of people with disabilities but other people of this country.

Social Security disability insurance is an important safety net for a large number of people—about 11 million—in this country. In the past 5 years, we have gone from 11 million to 14.1 million applications for disability—some of that is associated with our recession, but some with true injury.

We started out very meticulously as we looked at this, and I wish to applaud some of the employees of the Social Security Administration because they were the ones who highlighted to me—people who worked in the Oklahoma City Social Security office—the lousy quality of what was happening as these were being processed.

So what we did is we went to the Social Security Administration and we asked them to randomly select 300 case files—100 each—from 3 different geographical locations throughout the country. That included Oklahoma County, in my home State.

What we looked at was a large random number of cases, most of them drawn from decisions made by the Social Security Administration's 1,500 administrative law judges.

What we found, using Social Security's own criteria, was that 25 percent of the cases were decided absolutely erroneously, according to their own rules and their own guidelines.

But that didn't surprise the Social Security Administration, because they had been looking at it all along and they knew that, according to their records, 23 to 24 percent of all the cases had been being decided erroneously.

Our second step was to look where we saw this abuse at the highest, and that was in the Huntington, WV, Social Security Disability Hearing Office. So Senator LEVIN and I set our investigators about doing a total and comprehensive investigation of that office.

The problems we found there were similar to the problems we found in our prior investigation in these three other offices, except much worse. The Huntington office got our attention in part because it processed more disability cases than almost every other Social Security office in the Nation—much of that to just one attorney by the name of Eric Christopher Conn.

Despite practicing in a town of only 500 people, Mr. Conn had become the third highest paid disability attorney in the entire United States. He helped thousands of people get on to the disability program, and in 2010 he received $4 million in payments from the Social Security disability program. The only other attorneys receiving more from SSA were Charles Binder of Binder and Binder—who, I noticed, filed bankruptcy this week—who received $22 million; and Thomas Nash of Chicago who received $6.3 million.

When we looked more closely at Mr. Conn's operations, what we found were reasons for serious concern. While some of what Mr. Conn did involved outright fraud—which we have documented and proven—at times he was simply able to exploit loopholes in Social Security's system. Both of those things should be a concern to Congress.

To ensure the cases were approved and his attorney fees kept flowing, Mr. Conn colluded with an ALJ in the Huntington office by the name of David B. Daughtery. The two men worked together to award hundreds of millions, if not billions, of dollars in fraudulent disability claims. This is an administrative law judge.

The plan involved several calculated steps. First, Judge Daugherty needed to ensure that Mr. Conn's cases were assigned to him. Normally, agency rules require cases to be assigned to the ALJs on a rotational basis, with the oldest case being assigned to a hearing date first. This way, no one administrative law judge receives too many of one attorney's cases.

Judge Daugherty, however, would at times intercept Mr. Conn's cases and assign them to himself. If cases would slip past him and get assigned to another judge, Judge Daugherty would inappropriately go into the computer system and move the case to his jurisdiction.

The next step in the plan involved Judge Daugherty calling Mr. Conn's office every month to let them know what kind of additional evidence he needed for each client to be able to award disability benefits. Judge Daugherty started the monthly call by relaying the name and Social Security number of each person he was ready to approve. He would then say whether the new piece of evidence should relate to a mental or a physical medical impairment. The list of claimants would then be typed up by employees in Mr. Conn's law firm. Mr. Conn's staff referred to these monthly lists as the DB lists—the David B. Daugherty list.

We reviewed these DB lists, every one of them, from June 2006 through July 2010. Each list contained as many as 52 names each month. In total, the DB lists from that time period contained the names of 1,823 claimants who were all approved for disability benefits.

After Judge Daugherty told Mr. Conn the kind of medical evidence he needed, the next step shifted to Mr. Conn to ensure a doctor provided that evidence. Fortunately for Mr. Conn, he had a crew of doctors in his pocket, ready to provide what he needed.

To find doctors willing to go along with him, Mr. Conn searched the Internet for ones with checkered pasts. The doctors Mr. Conn used often had histories of malpractice and some had medical license revocations in multiple States. In fact, Mr. Conn's ''go-to'' doctor was the subject of numerous malpractice lawsuits and even had his medical license revoked and suspended in several States. Mr. Conn scheduled the DB list of claimants to be seen by his doctors. The doctors spent as little as 15 minutes evaluating each claimant and sometimes saw 35 to 40 claimants a day. Mr. Conn paid the doctors that he knew $500 for each claimant they saw.

The doctors would complete a form used by the agency to determine a claimant's residual functional capacity to work in any job available in the national economy. While the evidentiary forms provided by the doctors were supposed to be specifically tailored to the physical or mental impairments of each client, all of Mr. Conn's forms were the same. They were prefilled out. He had 15 versions of the physical form and 5 versions of the mental form that were rotated among the clients. As a matter of fact, a committee determined that 97 of Mr. Conn's claimants approved by Judge Daugherty had exactly the same residual functional capacity—a statistical impossibility. It could not happen.

Mr. Conn would then submit the RFC forms—the residual functional capacity forms—with a brief description of the claimant to Judge Daugherty. Judge Daugherty would then approve the claim for benefits in an abbreviated decision, determining the evidence presented by Mr. Conn outweighed all the other evidence in the claimant's medical file. At times, the medical evidence Judge Daugherty ignored could be thousands of pages long.

The plan made Mr. Conn millions. In 2010 SSI paid Mr. Conn almost $4 million in attorney fees, making him the third highest-paid attorney in the country. In turn, he paid out almost $2 million to the doctors who were giving the unscrupulous, ill-advised, and absolutely erroneous premanaged outcomes. Judge Daugherty, mysteriously, under our subpoenas had received some $100,000 in unexplained cash deposits into his bank accounts during this time. But Judge Daugherty wasn't approving just Mr. Conn's cases. In the last 5 years of working for the agency, Judge Daugherty awarded more than $2.5 billion in disability benefits. During that period, he approved more cases then any other ALJ in the entire United States.

There was another judge, Chief Judge Charlie P. Andrus, who played a major role in approving the fraudulent

claims. He allowed Judge Daugherty to decide a high number of claims. He and Judge Andrus enjoyed accolades and national recognition. The Huntington office rose to have the second fastest processing time in the entire country. No wonder—they didn't actually process claims. It was a slam dunk. You get under Judge Andrus, you get under Judge Daugherty, you get Eric Conn, and you get approved—no matter whether it is true or not. Mr. Andrus, as the acting superior judge, did nothing to stop Mr. Conn and Judge Daugherty. He actually colluded with Mr. Conn to target a whistleblower from his own office.

The second thing I would note about Judge Andrus was he was not truthful in his testimony before the committee under oath, and we have evidence of his lying to the committee under oath.

When all of this was exposed, the agency put Judge Andrus on paid administrative leave and filed a claim with the Merit Systems Protection Board. That was in January of 2013.

In 2014 Mr. Andrus voluntarily retired according to a decision from the Merit Systems Protection Board. The complaint the agency filed against Mr. Andrus charged him with conduct unbecoming an ALJ; engaging in an apparent conflict of interest; lack of candor; and unauthorized disclosures.

Despite these charges, as part of the settlement agreement, the agency agreed to refrain from pursuing any disciplinary action against Andrus and to provide a neutral reference to prospective future employers. Andrus retired with his pension. So a crook retires with their pension. So no disciplinary action is taken against Charlie Andrus, even after he turned a blind eye for years and allowed Judge Daugherty to award billions of dollars in disability benefits, admitted he conspired to retaliate against an employee, and was untruthful to Congress under oath. Nor has the Department of Justice taken any action against Mr. Conn or Judge Daugherty. In fact, Mr. Conn continues to represent disability claimants before the Social Security Administration—these two men who actively committed fraud on one of the most important safety net programs our government runs.

We should not let the actions of these individuals go unpunished. But that is what is happening. I recently had a visit with the IG from the Social Security Administration, Mr. Patrick O'Carroll. At this point the U.S. attorneys in West Virginia and Kentucky had both recused themselves and declined to prosecute Mr. Conn. Now I wonder what he has over them. I wonder what it is when you have a closed case—a prosecutorial case that you have to do no work on—and the U.S. attorneys will not prosecute a thief of the highest order. Since both U.S. attorneys recused themselves, Mr. O'Carroll is now trying to convince the Criminal Division of the Department of Justice here in Washington, DC, to take action. But to date no charges have been filed against Mr. Conn, Judge Daugherty or Judge Andrus.

If they do not take action against Mr. Conn, the Justice Department is sending a message that disability fraud will go unpunished. We need to be sending the opposite message—that these types of fraudulent practices by attorneys like Eric Conn must be prosecuted to the fullest extent of the law—otherwise the disability program, no matter how much oversight we do on it, will continue to be abused, leaving those Americans who have no choice but to rely on it with less than what they expected.

I would add one final statement. In working with a lot of the disability community, we introduced this week what we hope the Congress will take up in future years as a reform to the disability program that takes the fraud out of it—the opportunity for fraud—that takes the ability actually to hold people accountable and also gives back the dignity to those who can get back to work and uses that to help them accomplish that goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I certainly appreciate all the remarks the Senator from Oklahoma has said. He is one of the great Senators of all time, as far as I am concerned.

I ask unanimous consent that I be permitted to give this statement, which shouldn't be much more than 15 minutes.

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

TRIBUTE TO DEPARTING SENATORS

Mr. HATCH. Mr. President, as we wind down the final days of the 113th Congress, it is a good time both to reflect on the past and to look toward the future. I have been very moved as I listened to the farewell speeches of our departing Senators, and I wish I had time to pay tribute to each one of them. They have all been wonderful colleagues, and I enjoyed working with and getting to know every one of them. I wish them all the very best in all their future endeavors. They will most certainly be missed.

In terms of the future there are a number of challenges before us. We have an economy that despite recent upticks is still struggling. We have a national debt that despite recent reductions in the deficit is headed toward astronomical levels, and we have a pending crisis with our entitlement programs that threatens to swallow up our government and take our economy down with it. I believe we can fix these problems, but it is not going to be easy.

TAX REFORM

Today I would like to take a few minutes to talk about a particularly important effort that I believe will help address some of these fundamental changes and challenges. I am talking about tax reform. Over the last few years I have spoken numerous times on the floor and elsewhere about the need to fix our broken Tax Code. I would understand if there are some who tire of hearing me talk about tax reform, but that doesn't mean I am going to stop any time soon.

Tax reform is no longer optional but essential. If we are going to get our economy moving again, we need a Tax Code that will stop standing in the way. Make no mistake. Promoting job creation and economic growth is the first and most important step we need to take in order to address our Nation's most pressing problems. This is no secret to anyone in this Chamber. I don't believe I have been blessed with unique insight into these matters. We all know what we have to do and that, in and of itself, is pretty remarkable. Indeed, with all the partisanship and division we have seen over the past few years, there is bipartisan agreement on the need to reform our tax system. There are disagreements on the details that cannot at this time be overlooked, but on the basic question surrounding the need for reform, people in both parties have reached the same answer: Reform is necessary, and it needs to happen sooner rather than later.

My hope is that today I can say a few words that will help to set the stage for our reform efforts in the near future. Last week I released a report drafted by my staff on the Senate Finance Committee entitled ''Comprehensive Tax Reform for 2015 and Beyond.'' This report—I have been calling it a book because it is 340 pages long—outlines the major issues policymakers would have to confront as we undertake tax reform. It describes where we are with our current Tax Code, where we have been, and most importantly, it gives some direction as to where we should go with our reform efforts in the future. I hope all of our colleagues will take time to read through it.

I need to be clear. This is not a tax reform plan. It is a discussion of ideas and principles that I hope will be the first step in a renewed bipartisan effort to reform our Nation's Tax Code in the very near future. More than anything, I hope my colleagues will view this book as an invitation to work together in this most important endeavor.

As I outlined in the book, tax reform, in my view, should be undertaken with a set of simple principles in mind. The most important principles are the three set out by President Reagan the last time Congress was able to pass a major tax overhaul, nearly three decades ago. President Reagan's first principle, and in my view the most important, is economic growth. Tax reform should significantly reduce many of the economic distortions that are present under the current income tax system and promote growth in our economy. It should eliminate the anticompetitive nature of the current tax system, such as the high U.S. corporate tax rate, which stifles job growth. High marginal tax rates are present up and

down the income scale and they act as disincentives for work, entrepreneurship, and investment. These growth deterrents—which are embedded nearly everywhere in our Tax Code—should be eliminated.

President Reagan's second principle was fairness. The income tax base, which has become riddled with exclusions, exemptions, deductions, and credits, should be as broad as possible. Tax reform should reduce the number of tax expenditures, thereby broadening the tax base while simultaneously lowering tax rates. A broader tax base coupled with significantly lower tax rates is the basis of what would be a much fairer tax system.

The final principle outlined by President Reagan was simplicity. Our Tax Code has grown to almost four million words. Today, approximately 59 percent of American households use paid preparers to do their individual income taxes and another 30 percent use tax software to assist them. Taxpayers and businesses spend over $168 billion annually. That is larger than the size of the entire economy of New Zealand, and an amount that would employ more than three million workers full time at an hourly wage of $25.

A simpler Tax Code would greatly reduce these compliance costs, resulting in greater efficiency and compliance by American taxpayers. Let's unleash resources from being devoted to figuring out or gaming our broken Tax Code and make the resources available for job creation.

The three principles from President Reagan would be vital to our tax reform efforts. But, as I said, it has been nearly 30 years since Congress tried to put President Reagan's principles into action. Much has changed in that time. In order to address the needs of today, additional principles are necessary.

One of those principles is permanence. The Tax Code needs certainty. The Joint Committee on Taxation lists almost 100 tax provisions that will expire between 2013 and 2023. Individuals and businesses need to be able to rely on provisions in the tax law for planning purposes. The lack of certainty in our tax laws hinders job creation and stifles economic growth. We need a tax system that no longer threatens to change from year to year.

Another important principle is competitiveness. The combination of a high corporate tax rate, worldwide taxation, and the temporary nature of some tax incentives make U.S. companies less competitive when compared to their foreign counterparts. In addition, U.S. multinationals are discouraged from repatriating foreign earnings because of the U.S. corporate tax that applies at the time of repatriation—a corporate rate that is the highest in our industrialized world.

Tax reform should reduce the high tax rates on businesses and also achieve neutrality through a competitive international tax system, thereby placing worldwide American companies on a level playing field with their foreign competitors when conducting business in other countries. The result would be more worldwide American companies establishing or retaining their corporate headquarters in the United States, more exports to global markets, and retention and investment of money in the United States rather than abroad.

Promoting savings and investment is another important principle. Many aspects of the U.S. income tax system discourage savings and investments by individuals, thereby hindering long-term growth. Tax reform should result in a tax system that actually encourages people to save and invest.

Last, but certainly not least, there is the principle of revenue neutrality. I know this will be a sticking point for some, though, for the life of me I can't see why. If we are scouring the Tax Code looking for ways to squeeze more revenue to fuel government spending, we are not reforming the Tax Code, we are raising taxes. It is as simple as that.

Tax reform should not be used as an excuse to raise taxes on the American people or on U.S. businesses. Any effort to use tax reform as a revenue-raising exercise is a needless distraction. Anyone who believes that the American people are currently undertaxed should look at historical trends.

According to the Congressional Budget Office, Federal revenues are set to exceed historical averages as early as next year and will remain that way. We can talk about shoring up deficits and paying for spending, but we should not be looking to the Tax Code as a resource for additional revenue.

If you count up these principles—including those established by President Reagan, and the ones added since—there are seven in total. In my view, these seven principles should serve as guideposts for our tax reform efforts. Any idea or proposal we consider should link back and be relevant to at least one of these principles. The best ideas and proposals should probably link back to all of them.

As I said, the book we released last week outlines these principles and also provides a wealth of background information about our Tax Code and the need for reform. I view it as a first major step in a tax reform effort that I hope will get underway early next year.

In the coming weeks and months, I plan to reveal additional steps. I plan to involve many of my colleagues on both sides of the aisle, particularly those who will be joining me on the Senate Finance Committee.

My hope is that as this conversation continues, a path toward real bipartisan tax reform will begin to take shape. Of course, it will take more than just talk and discussion. It will take hard work, commitment, and, of course, compromise.

I said it many times before, and I will say it again today: I am willing to work with anyone, Republican or Democrat, to reform our Nation's Tax Code, and I look forward to continuing this effort in the 114th Congress, and, if necessary, beyond.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). For the information of the Senate, as of 5 p.m., the time until 6 p.m. is equally divided in the usual form.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise to discuss my opposition to the pending vote concerning Mr. Anthony ''Tony'' Blinken, who is not only unqualified, but, in fact, in my view, one of the worst selections of a very bad lot that this President has chosen.

I hope that many of my colleagues will understand that I do not come to the floor to oppose a nomination of the President of the United States often because I believe that elections have consequences. In this case, this individual has actually been dangerous to America and to the young men and women who are fighting and serving our country.

Mr. Blinken has been a foreign policy adviser to Vice President BIDEN since his days in the Senate, but as Robert Gates has noted, Mr. BIDEN has been ''wrong on nearly every major foreign policy and national security issue over the past four decades.''

At the Special Operations Fund Annual Meeting on May 6, 2013, Mr. Blinken discussed a number of the administration's achievements, including, one, ending the war in Iraq responsibly; two, setting a clear strategy and date for the withdrawal from Afghanistan; three, decimating Al Qaeda's senior leadership; and four, repairing our alliances and restoring America's standing in the world.

That is as Orwellian as any statement I have ever heard. Each and every issue—the conditions are a far cry from the so-called achievements that Mr. Blinken describes.

In his capacity as an assistant to the President and Deputy National Security Adviser, Mr. Blinken has been a functionary and an agent of a U.S. foreign policy that has made the world much less safe today.

Let's review some major elements of that policy, and in particular, Mr. Blinken's role in conceptualizing and furthering it.

U.S. foreign policy is in a shambles. It is, at best, astrategic, and at worst, antistrategic. It lacks any concept of how to obtain our foreign policy goals. This has led to countless foreign policy failures, including the continued slaughter of the Syrian people by President Bashar al-Assad; the Russian reset that culminated with President Putin's invasion of Ukraine; the betrayal of our key allies, especially in Central Europe, not to mention Israel; failing to achieve a status-of-forces agreement that would help to maintain Iraqi security and stability; following similarly unwise strategies in Afghanistan—we will see the same movie in Afghanistan that we saw in Iraq if we

have a date-driven withdrawal rather than a status-driven, conditions-driven situation; and our feckless position in negotiations with Iran on nuclear weapons that has failed to produce any progress towards an agreement.

I could go into many other failures, such as the vaunted Geneva Convention of 40 nations that was supposed to arrange for the transition of power from Bashar al-Assad and the object failure of the Israeli-Palestinian peace talks, and what will either be an imminent failure of an Iranian nuclear weapons agreement or an agreement that will be disastrous in the long run.

There are two common sayings by the administration officials, not me, that have defined the President's approach to foreign policy: ''Leading from behind,'' and ''Don't do stupid [stuff].'' These approaches have resulted in a failed foreign policy that has made America and Americans less safe.

Even President Obama's most strident supporters have begun to question the President's foreign policy decisions.

In an article entitled ''Damage to Obama's Foreign Policy Has Been Largely Self-Inflicted,'' the Washington Post's David Ignatius, a key supporter of the administration's foreign policy goals, wrote, ''At key turning points—in Egypt and Libya during the Arab Spring, in Syria, in Ukraine, and, yes, in Benghazi—the administration was driven by messaging priorities rather than sound, interests-based policy.''

What has Mr. Blinken had to say about all of these issues, my friends? I will give you a few examples.

On Iraq, at the Center for American Progress, on March 16, 2012—I am not making this up—Mr. Blinken said:

> What's beyond debate is that Iraq today is less violent, more democratic and more prosperous—and the United States more deeply engaged there—than at any time in recent history.

Less violent, more democratic, and more prosperous.

At a White House briefing on March 16, 2012, Mr. Blinken said:

> President Obama and Vice President Biden came to office with this commitment: To end the Iraq war responsibly.
> Both parts of that sentence are critical.
> End the war.
> Responsibly.
> Under the leadership of President Obama and Vice President Biden, who the President asked to oversee our Iraq policy—and who has made 8 trips to Iraq since being elected—we have followed that path to the letter.

He went on to say:

> At every significant step along the way, many predicted that the violence would return and Iraq would slide backward toward sectarian war.

Get this. He said:

> Those predictions proved wrong.

He went on to say:

> Over the past three years, violence has declined and remains at historic lows—even after we completed the drawdown of U.S. forces late last year.

Remember, he said this in 2012.

> Weekly security incidents fell from an average of 1,600 in 2007–2008 to fewer than 100 today.

He went on to say:

> And in December, after more than eight wrenching years, President Obama kept his promise to end the war—responsibly.
> And, while Iran and Iraq will inevitably be more intertwined than we, and many of its neighbors, would like, one thing we learned, over more than eight years in Iraq is that the vast majority of its leaders, including the Prime Minister—

Who at that time was Prime Minister Maliki—

—are first and foremost Iraqi nationalists and resistant to outside influence from anywhere—starting with Iran.

Everybody knows that the Iranians are probably the most influential nation in Iraq, certainly under Maliki.

On foreign policy, December 27, 2013, he said:

> If we still had troops in Iraq today, the numbers would have been very small. They would not have been engaged in combat. That would not have been their mission, so the idea that they could or would have done something about the violence that is going on now in Iraq seems, to me, detached from the reality of what the mission would have been had they stayed in any small number.

Now you don't have to take my word for it. Take the word of Secretary Gates, Secretary Panetta, Ambassador Crocker, and any knowledgeable person about Iraq, and I will insert their quotes for the record, including Ambassador Crocker, who said: ''Of course we could have left a residual force behind.'' Both Panetta and Gates said the same thing.

At no time was there a public statement by the President of the United States or Mr. Blinken that they wanted to very seriously. In fact, they trumpeted the fact that the last American troop at that time—now we have many troops back—left Iraq and bragged about what a great day it was.

On Fox News with Chris Wallace, September 28, 2014:

Wallace:

> Finally, President Obama spoke to the U.N. this week, but I wanted to ask you about his speech to the U.N., saying—general assembly last year, in which he said we are ending a decade of war. How could the President have been so wrong?

Blinken:

> The president was exactly right. What we're doing is totally different than the last decade. We're not sending hundreds of thousands of American troops back to Iraq or Afghanistan or anywhere else. We're not going to be spending trillions of American dollars.

Wallace:

> Mr. Blinken . . . he said all our troops left Iraq. In fact, he has just sent at least 1,600 troops back into Iraq. He said we've dismantled the core of al Qaeda. [And yet,] the Khorasan group which you struck in the first day is an offshoot of the core of al Qaeda, and, in fact, follows the direct orders of the leader of al Qaeda, Ayman al Zawahiri.

Blinken:

> Chris, they fled. Because we were so successful and effective in Afghanistan and Pakistan, they fled, because we decimated the core of Al Qaeda. They removed themselves. They went to Syria.

At the Carnegie Endowment for International Peace on October 30, 2014:

> The White House ''sought to leave a limited residual force'' in Iraq, but the Iraqi Government simply refused to agree to legal protections for such troops, said then-Deputy National Security Adviser Tony Blinken, who argued the final decision to withdraw all U.S. troops ''was not the result of a failure to negotiate.''
> ''It's something we worked very hard,'' he said. ''But . . . after a 10-year 'occupation,' the Iraqi body politic did not want us to stay in Iraq. That's what happened'' . . . We were focused and acting on ISIL and the threat that it posed more than 1 year before the fall of Mosul, but the problem began to outrun the solution fueled by the conflict in Syria, Iraqi reluctance, and renewed sectarianism in Iraq in advance of elections with politicians on all sides playing to their bases.

Statements such as these are so divorced from reality, one can only draw one of two conclusions: either that Mr. Blinken is abysmally ignorant or he is simply not telling the truth for whatever motive there is.

By the way, here is what Ryan Crocker said on Iraq:

> As a former ambassador to Iraq from 2007 to 2009, do you think it was a mistake not to push hard for the Status of Forces agreement with Iraq before the U.S. pullout?

I would remind my colleagues, Ryan Crocker—probably the most respected member of our diplomatic corps alive today—said:

> I do. We could have gotten that agreement if we had been a little more persistent, flexible, and creative. But what really cost us was the political withdrawal. We cut off high-level political engagement with Iraq when we withdrew our troops. There were no senior visits, very few phone calls. Secretary of State John Kerry made one visit prior to this current crisis, mainly to lecture the Iraqis on how bad they were being for facilitating Iranian weapon shipments to Syrian president Bashar al-Assad. And we left them to their own devices, knowing that left to their own devices, it would not work out well.

So we have Mr. Blinken's comments, and juxtapose them with those of Ambassador Crocker.

Here is what Leon Panetta, Democrat, Secretary of Defense said:

> It was clear to me—and many others—that withdrawing all our forces would endanger the fragile stability then barely holding Iraq together.

That is from Secretary Leon Panetta's book.

Then he went on to say:

> My fear, as I voiced to the President and others, was that if the country split apart or slid back into the violence that we'd seen in the years immediately following the U.S. invasion, it could become a new haven for terrorists to plot attacks against the U.S. Iraq's stability was not only in Iraq's interest but also in ours. I privately and publicly advocated for a residual force that could provide training and security for Iraq's military.

Then he went on to say, talking about the Pentagon:

> Those on our side viewed the White House as so eager to rid itself of Iraq that it was willing to withdraw rather than lock in arrangements that would preserve our influence and interests.

That is a statement by Leon Panetta.

I will move on to Afghanistan.

Mr. Blinken said:

We have been very clear. We have been consistent. The war will be concluded by the end of 2014. We have a timetable, and that timetable will not change.

This is why I am so worried about him being in the position he is in, because if they stick to that timetable, I am telling my colleagues that we will see the replay of Iraq all over again. We must leave a stabilizing force behind of a few thousand troops or we will see again what we saw in Iraq.

So let's move on to Syria.

In an MSNBC interview in 2014, responding to a question about President Obama's comment in August 2014 calling it ''a fantasy'' to say that arming the Syrian rebels 3 years ago would have helped the situation, Blinken:

Fantasy was the notion that had we started to work with these guys—

Talking about the Free Syrian Army—

six months earlier, that that somehow would have turned the tide.

Blinken:

Candy, you know, Assad has been a magnet for the very extremism we're now fighting against. And it is inconceivable to think of Syria being stable with Assad as its leader. He has forfeited his legitimacy. ISIL right now is the wolf at the door. But the answer to both Assad and ISIL actually is the moderate opposition. They need to be built up, so that they can be a counterweight to Assad. In the near term, they need to be built up so they can work on the ground to help deal with ISIL.

Candy Crowley:

So ISIS is the wolf at the door now, but Assad, as far as the U.S. is concerned, is the next wolf at the door?

Mr. Blinken:

We have been very clear that there needs to be a transition in Syria, that as long as Assad is there, it's very hard to see Syria being stable, and he will continue to be a magnet for the extremists we are fighting.

Crowley:

But a transition is not the same as, we will actively help you bring this guy down.

Blinken:

The best way to deal with Assad is to transition him out so that the moderate opposition can fill the vacuum. That's what we have been working on. The more you build them up, the more you make them a counterweight, the more possible that becomes.

Let me just remind my colleagues of what has happened. There is a guy named Caesar who about a year and a half ago smuggled out thousands of pictures. These pictures are the most gripping and horrifying I have ever seen. They were actual pictures which have been authenticated of the atrocities committed by Bashar Assad. They are wrenching, they are heartbreaking, and they are terrible.

Now, 200,000 people have been butchered in Syria, and 3.5 million are refugees; 150,000 are still in Bashar Assad's prison experiencing atrocities such as this. These are little children here. These are little children. They have been massacred by Bashar Assad.

What have we done? What have we done in response to this? First of all, amazingly, these photographs have been authenticated by this guy Caesar. He did testify before the House Foreign Affairs Committee. It didn't seem to rise to the interest of the Senate Foreign Affairs Committee or the American people or this administration.

I was at a refugee camp in Jordan where at that time there were, I think, 75,000 refugees. I was being taken around by a young woman who was a schoolteacher, and she said:

Senator MCCAIN, do you see all of these children?

I said: Yes.

She said: Those children believe that you have abandoned them, Senator MCCAIN, that you Americans have abandoned them, and when they grow up, they are going to take revenge on you.

So here we are, this incredible slaughter, massacre, torture taking place, and what is this administration doing? It is trying to make a deal with the Iranians and leaving Bashar Assad to wreak havoc on the Syrian people who are still able to fight, butchering them with barrel bombs. Most of my colleagues know what a barrel bomb is. It is a huge cylinder, and it is packed with explosives and nuts and bolts and pieces of shrapnell. Bashar Assad, unimpeded, flies his helicopters and they drop these barrel bombs. Then, when they capture these people, this is what is done to them.

Today it is clear that what is happening is that we are attacking ISIS in Syria. We are not attacking Bashar Assad, this butcher. In fact, Bashar Assad has intensified his attacks on the Free Syrian Army—intensified them. Not surprisingly, the morale of the Free Syrian Army is very low.

So General Allen and others have recently proposed a no-fly zone or an aircraft exclusion zone, an idea we have been arguing for, for about 3 years. This President still refuses to do it. It is heartbreaking. It is heartbreaking and it is tragic and it will go down in American history as one of the most shameful chapters because of our failure and the President's personal decision not to arm the Free Syrian Army when all of his key national security advisers—his Secretary of State, Hillary Clinton; the head of the CIA, General Petraeus; and Secretary of Defense, Secretary Panetta all strongly recommended providing arms to the Free Syrian Army.

I will move on to Ukraine. Mr. Blinken:

What Putin has seen is the President mobilizing the international community both in support of Ukraine and to isolate Russia for its actions in Ukraine, and Russia is paying a clear cost for that.

The notion that this is somehow the result of Syria makes very little sense to me. . . . That's because this is not about what we do or say in the first instance, it's about Russia and its perceived interests.

What Mr. Blinken doesn't understand is that weakness in one place translates throughout the world.

When I tell my colleagues, when I tell my fellow citizens that we will not supply the Ukraine people with defensive weapons, they don't believe me. They have watched the country dismembered. They have watched Crimea go. They have watched the shoot-down on an airliner that nobody talks about anymore, and they continue to create unrest and killing in eastern Ukraine, and we will not even supply the Ukrainians with weapons with which to defend themselves.

I see that I am nearly out of time. I would like to say I wish Mr. Blinken's words were matched by his deeds.

At the Holocaust Museum, October 6, 2014, he said:

A new notion is gaining currency: the ''Responsibility to Protect.'' It holds that states have responsibilities as well as interests—especially the responsibility to shield their own populations from the depraved and murderous. This approach is bold. It is important. And the United States welcomes it and has included it as a core element of our National Security Strategy, along with our commitment to prevent genocide and hold those who organize atrocities accountable.

No one can look at those pictures, the thousands, and believe that we have held Bashar Assad responsible.

He ended up by saying:

Endorsing the responsibility to protect is one thing; acting on it is another. All of us in the international community will have to muster the political will to act—diplomatically, economically, or, in extreme cases, militarily—when governments prove unable or unwilling to prevent the slaughter of their citizens.

That is a remarkable statement from an individual whose actions have clearly contradicted that at every turn in literally every corner of the Earth.

I know we will probably lose the vote, but I believe history will hold this administration accountable. History will hold those individuals who are part of this administration, who allowed these slaughters to go on—a dismemberment of a country called Ukraine, the first time a European country has been departitioned since World War II; the needless slaughter of thousands and thousands of Ukrainian men, women, and children, and the thousands and thousands of Syrian children. The list goes on and on.

Now we are going to promote this individual to replace probably the finest diplomat I have known, Secretary Burns. Not only is Mr. Blinken unqualified, but he is, I believe, a threat to the traditional interests and values that embody the United States of America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Madam President, I come to the floor in favor of the confirmation of Tony Blinken, who is no

stranger to this institution and no stranger to the most significant national security issues this Nation has faced in a generation.

As the former staff director of the Foreign Relations Committee and a close confidant of then-Chairman Biden and now a member of the President's national security team, he has earned a reputation as hard-working, studious, and keenly analytical. He comes from a family of diplomats and has lived his life in and around the Foreign Service.

His nomination as Deputy Secretary of State comes at a time when the United States is facing a range of critical challenges, from Ebola in west Africa, to Russian aggression in Ukraine, to the challenge of countering ISIL in Syria and Iraq, to Iran's continued request for a nuclear weapons program. At the same time, we are forging new global alliances and partnerships with India, in the Middle East and Asia, and looking for opportunities to expand American exports and business opportunities. There will be no shortage of critical issues he will face.

Foremost on our national security agenda is countering the barbarity of ISIL, whose terrorist ambitions threaten our national security as well as the stability of an entire region. We also face a continued crisis in Ukraine, where the cease-fire has collapsed and Russian tanks, troops, and weapons continue cross-border incursions into eastern Ukraine.

Clearly, the list of challenges is long and the diplomatic calculations are complicated, and all of these challenges will be part of the portfolio of the Deputy Secretary of State. There will be times where we will agree and times where we will disagree. I look forward to working closely with Mr. Blinken should he be confirmed, and I expect that he will be.

I know there is opposition by some of my colleagues to Mr. Blinken. As we considered his nomination in the Foreign Relations Committee last week, several of my colleagues raised concerns which I would like to take a few minutes to address.

First, there is an incredible notion that Mr. Blinken is somehow unqualified. Anyone who has served the Senate Foreign Relations Committee as staff director, two Presidents, a Vice President, as Deputy National Security Adviser to the President of the United States, and has chaired the National Security Council's Deputies Committee is more than qualified, and my colleagues know it. They simply disagree with the politics and the policies of the President which are the responsibility of the person who is serving that President to ultimately promote—anyone he chooses to appoint to a key position. But they cannot disagree that Mr. Blinken has served the Nation admirably, with dignity, diplomacy, and has honored every position he has held, that he has devoted his life serving this Nation's national security interests, and he has excelled at doing it. Frankly, if Mr. Blinken is unqualified, then the bar my colleagues have set is too high for any human being to reach.

I ask those who would object to this nominee, what additional qualifications can there be? Outside of already occupying the position for which he is nominated, it is hard to understand what additional qualifications my colleagues would expect Mr. Blinken to have to demonstrate his worthiness. Perhaps they would prefer that he be nominated by a different President whose policies they agree with, but that is not how it works.

This is an eminently qualified candidate who has the full trust and confidence of this President, my colleagues' policy concerns notwithstanding. They may disagree with specific policy decisions of this President dutifully carried out—I repeat, carried out—by Mr. Blinken.

Even listening to my dear friend and colleague Senator MCCAIN, a distinguished member of the committee whom I regret we are going to lose in the next Congress from the committee—when he made the comment that the President's personal decision—referring to Syria—when all his national security advisers recommended providing arms to the Free Syrian Army, Mr. Blinken is clearly one of those national security advisers, but the President is the one who ultimately makes the decision on what policy will be pursued.

That leads us to the questions about Mr. Blinken's participation and decisions involving Iraq, Afghanistan, and other parts of the world, with which certain Members of this body have taken issue.

Mr. Blinken has had to defend those decisions no matter his personal views or advice. That is his job. You can disagree with the President's policies, but you cannot blame this nominee for doing his sworn constitutional duty to carry them out.

I want to be very clear. We cannot judge the qualifications of this nominee or, for that fact, any nominee based on the policy decisions of this President or any President. He has been part of this administration, to be sure, but if the Senate starts to hold every nominee to account for every decision made by every President they serve, I think we will find that there is no one who will pass muster and no one who will be confirmed.

I happen to think President Bush's decision to evade Iraq was a geostrategic blunder of the highest order. I opposed it at the time, and history, tragically, has proven that judgment right. The brave sacrifice of our young men and women and the squandering of hundreds of billions of our children's and grandchildren's inheritance have compounded the magnitude of this error. Would my colleagues suggest that I should oppose all future Republican nominees who served in the Bush administration because no matter how qualified they are, somehow they must be held accountable for what I believe history will show in evaluating the Bush Presidency as a historic blunder that led to the civil and secular wars that are changing the shape of the Middle East? I don't believe that is what my colleagues would suggest, but that appears to be how they are judging Mr. Blinken. But none of that is reason to oppose Mr. Blinken or any nominee.

I hear these references to Iraq. Well, Prime Minister Maliki at the time opposed signing a status of forces agreement, and without such an agreement it was impossible to have our forces continue to be in Iraq subject to the possibilities of any issues being pursued legally under Iraqi law versus our own law, or, in Afghanistan, the question of what the force size should be in 2014. The President has made the statement of what it is to be, and maybe we can even have disagreements with what the size of those forces should be in 2014 as we see things evolve, but it is not for someone in an appointed position who is supposed to carry out the President's policies to say: No, we are not going to have that size; we are going to have a bigger size.

I fully expect that if confirmed, there will be a number of issues where Mr. Blinken and I probably won't see eye to eye—or, rather, the administration he will represent and I may not see eye to eye. When those issues arise, I fully intend to let Mr. Blinken know exactly how I feel and to engage him in debate to influence the policy, and I will avail myself of all the tools a Senator can use to do so.

Frankly, given his experience working for this body and given his professionalism and experience with the Senate Foreign Relations Committee, I would rather it be Mr. Blinken who will be across the table from me rather than someone else who doesn't have any understanding of this institution and the prerogatives of Senators. I am confident he will understand where I am coming from even when we disagree, and I am confident that he willing approach these discussions with an open mind, that he will seek to persuade but he also will be open to persuasion.

I don't think any of us here in this body would like to be held to a standard of perfection in our judgments, one that holds no space for loyal service to this Nation and no space for qualified nominees who have honorably and faithfully implemented the policies of their President.

Let's be clear. We are not judging the President's policies; we are judging the qualifications of a man who has loyally and professionally carried out those policies.

I do not doubt the sincerity of my colleagues in this body. Even when I may disagree, I do not doubt that they are seeking what they believe is the best for our Nation. At times I think they are right. At other times I think

they are wrong. Today, as it relates to Mr. Blinken, they are wrong.

Tony Blinken is a tireless and able public servant who serves the Nation well, and I urge my colleagues to confirm this nominee. He is a man of the Senate, a qualified public servant, and an accomplished national security and foreign policy expert.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEVIN. Madam President, I ask unanimous consent that I be permitted to proceed as though in morning business for 5 minutes.

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

ENDING INSIDER TRADING IN COMMODITIES ACT

Mr. LEVIN. Madam President, last month the Senate's Permanent Subcommittee on Investigations concluded a 2-year bipartisan investigation into Wall Street bank involvement with physical commodities. Our investigation, which focused on Goldman Sachs, Morgan Stanley, and JPMorgan Chase, culminated in a 400-page report and 2 days of hearings. The subcommittee's investigation found these banks involved in a breathtaking array of physical commodities activities. They owned coal mines and oil pipelines, oil tankers and refineries, electric powerplants, massive amounts of copper and aluminum and even uranium.

We examined multiple aspects of financial holding company involvement with physical commodities, including the nature and extent of those activities with the attendant risk, such as the threat to a bank's safety and soundness from a catastrophe along the lines of the BP oilspill in the Gulf of Mexico. We also examined the impact of those activities on consumers, manufacturers, and markets. One key area of concern relates to possible price manipulation and unfair trading.

What we found is that involvement in physical commodities gave these banks access to important nonpublic information that they could use to profit in their trading of financial products tied to those same commodities. In the stock market, the use of such nonpublic information is prohibited, but no such clear prohibition exists in commodities markets. That gives the biggest Wall Street banks an enormous incentive to pursue physical commodities activities—often to the detriment of consumers and manufacturers—in order to profit in financial trades by the use of the nonpublic information they gain from their physical commodities activity and to provide the opportunity in some cases to engage in market manipulation.

I have introduced, with Senator MCCAIN, a bill intended to prevent such abuses. The Ending Insider Trading in Commodities Act, S. 3013, which we just introduced, would prevent a large financial institution from trading in physical commodities and commodity-related financial instruments while at the same time in possession of material nonpublic information arising from its ownership or interests in a business or facility used to store, ship, or use the same commodity. A large financial institution should not be able to control, for instance, a huge number of warehouses and then use the nonpublic information that it gains and sometimes creates from the operation of those warehouses to trade on the same kinds of commodities stored in those warehouses.

As we learned from our investigation, a financial institution that owns warehouses may manipulate warehouse operations in ways that move the prices of the very financial instruments and commodities the financial institution is trading.

In the case of aluminum, we saw that Goldman Sachs owned dozens of warehouses in the Detroit area, which it used to build a near monopoly on the storage of aluminum in the United States that is used to settle trades on the London Metal Exchange, which sets the benchmark price for aluminum around the world. Using that dominant position, Goldman approved warehouse deals and practices that lengthened the lines, the queues for metal owners to get their metal out of the warehouses to nearly 2 years. By lengthening the queues, Goldman raised the premium that includes such costs as storage and transportation and which, along with the London Metal Exchange's benchmark price, makes up the total price consumers pay for aluminum. Goldman manipulated these warehouse practices in ways that made metal owners wait to get their metal and influenced prices paid to buy aluminum and hedge aluminum costs. All the while, Goldman was trading in aluminum and aluminum-related financial instruments.

It is a rigged game. It needs to be stopped, and that is what this bill is intended to do. I thank Senator MCCAIN for joining me in this important effort. We hope our colleagues will take up this bill and carry on this effort in the next Congress.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 3019 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. Madam President, I wish to express my opposition to the nomination of Antony Blinken to be Deputy Secretary of State.

There is no shortage of global conflicts or crises facing the United States, and as one of the key positions at the State Department, the Deputy Secretary of State will play a key role in developing and implementing our foreign policy. Unfortunately, I must oppose Mr. Blinken's nomination at this time because his track record on some of the most significant foreign policy and national security issues has raised serious concerns about the direction his leadership would take our Nation's foreign policy.

Mr. Blinken has been a foreign policy advisor for several years and played a significant role in determining how and when the United States left Iraq. I believe this has contributed to the instability in the region. Additionally, Mr. Blinken has been less than forthright with some of my colleagues, and has misstated the Administration's position with respect to Iran sanctions.

I am also concerned about the speed of this nomination. He was nominated a month ago and is being forced through in the lame duck. I believe a nominee of this significance should be subject to a more thorough review because at a time when the United States is facing critical national security challenges on many fronts, we must have proven and effective leadership.

For these reasons, I must oppose Mr. Blinken's nomination.

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

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Antony Blinken, of New York, to be Deputy Secretary of State.

Harry Reid, Brian Schatz, Patrick J. Leahy, Bernard Sanders, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar, Debbie Stabenow, Christopher A. Coons, Robert Menendez, Carl Levin, Barbara Boxer, Tom Harkin, Richard J. Durbin.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Antony Blinken, of New York, to be Deputy Secretary of State, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Utah (Mr.

LEE), and the Senator from Alabama (Mr. SESSIONS).

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

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

The yeas and nays resulted—yeas 53, nays 40, as follows:

[Rollcall Vote No. 361 Ex.]

YEAS—53

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

NAYS—40

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

NOT VOTING—7

Boxer	Johanns	Sessions
Chambliss	Lee	
Cochran	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 40.

The motion to invoke cloture is agreed to.

Cloture having been invoked, under the previous order, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Antony Blinken, of New York, to be Deputy Secretary of State?

Mr. REID. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

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

The result was announced—yeas 55, nays 38, as follows:

[Rollcall Vote No. 362 Ex.]

YEAS—55

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

NAYS—38

Alexander	Fischer	Murkowski
Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Shelby
Collins	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	McCain	Vitter
Cruz	McConnell	Wicker
Enzi	Moran	

NOT VOTING—7

Boxer	Johanns	Sessions
Chambliss	Lee	
Cochran	Sanders	

The nomination was confirmed.

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission.

Harry Reid, Brian Schatz, Patrick J. Leahy, Bernard Sanders, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar, Debbie Stabenow, Christopher A. Coons, Robert Menendez, Carl Levin, Barbara Boxer, Tom Harkin, Richard J. Durbin.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

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

The yeas and nays resulted—yeas 65, nays 28, as follows:

[Rollcall Vote No. 363 Ex.]

YEAS—65

Alexander	Graham	Murkowski
Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Portman
Blumenthal	Hirono	Pryor
Booker	Hoeven	Reed
Boozman	Inhofe	Reid
Brown	Johnson (SD)	Rockefeller
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coburn	Levin	Udall (CO)
Collins	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—28

Barrasso	Grassley	Roberts
Blunt	Hatch	Rubio
Coats	Heller	Scott
Corker	Isakson	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	McCain	Vitter
Enzi	Moran	Wicker
Fischer	Paul	
Flake	Risch	

NOT VOTING—7

Boxer	Johanns	Sessions
Chambliss	Lee	
Cochran	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 28.

The motion is agreed to.

NOMINATION OF COLETTE DODSON HONORABLE TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am going to submit to the body a unanimous consent request in just a minute. However, I want everyone to understand we are trying our utmost to have a pathway so we can move along. We don't have that done yet, but we are working on it. We have a lot of work still to do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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, I ask that everyone be patient. I am trying to be as patient as I can be, as is the Republican leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 5771

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding cloture having been invoked, the Senate now resume legislative session and the Senate then proceed to consideration of Calendar No. 627, H.R. 5771, which is the tax extenders legislation; that there be 30 minutes of debate equally divided between the two leaders or their designees prior to a vote on passage of the bill, which will be a 60-vote threshold; that there be no amendments, motions or points of order in order prior to the vote; further, that if H.R. 5771 is passed, the Senate proceed to consideration of H. Con. Res. 124, which is a concurrent resolution correcting the enrollment of H.R. 5771, modifying the title of the bill; that the concurrent resolution be agreed to; and that following disposition of the concurrent resolution, the Senate resume executive session and consideration of the Honorable nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

TAX INCREASE PREVENTION ACT OF 2014

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

The legislative clerk read as follows:

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.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, with this tax bill, the Congress is turning in its tax homework 11½ months late and expects to earn full credit. Tax incentives will last just 2 weeks before families and businesses are thrown back into the dark with respect to the taxes they owe. The legislation accomplishes nothing for 2015.

The debate takes place against the backdrop of positive economic news, showing that unemployment is down and wages are up—just the kind of news the Congress ought to build on by providing certainty and predictability for families and businesses. Instead, the Congress is about to pass a tax bill that doesn't have the shelf life of a carton of eggs.

Of course, we have the power to enshrine tax provisions for any length of time we choose. What the Congress can't do is travel back through time. The Congress can pass this $41 billion bill, but it cannot change anything taxpayers did 6, 8 or 10 months ago. Those decisions have been made.

The only new effects of this legislation apply to the next 2 weeks. That is not enough time for the key provisions; for example, putting a dent in veterans unemployment, to start a clean energy project, to hire new workers or to help a student who is on the fence about whether to enroll in college next semester. Particularly important is this bill drops the health coverage tax credit, yanking away an economic lifeline that working-class Americans were counting on this April 15. This means that for tens of thousands of our people in States such as Wisconsin, Illinois, Ohio, and Pennsylvania, who have been kicked down by a fiercely competitive economy, they are going to face a very unpleasant surprise this spring.

I am just going to spend a minute talking about how the Senate got here and where our tax policy should go in the future. The truth is the Senate didn't need to be in this spot. Within a few weeks after I became chairman of the Finance Committee, with the help and good counsel of Senator HATCH and many members of the committee, we unanimously passed the EXPIRE Act, a balanced, bipartisan bill that would provide 2 years of certainty and a springboard to comprehensive reform. When the bill came to the floor, a host of Senators said they were eager to move it forward. Democrats and Republicans all wanted to move ahead, but the toxic Senate environment and a battle over amendments caused the EXPIRE Act to stall out.

This fall there were discussions with the House about a bipartisan, bicameral agreement. I was encouraged at the outset, especially when the House indicated they would accept the Senate's bipartisan work. We also talked about the possibility of making several provisions permanent. In my view, any agreement on permanent tax policy has to be balanced—balanced between support for business and support for working families. A deal that is skewed in just one direction fails the test of fairness. The Democrats on the Finance Committee felt the same way. The negotiations progressed, more offers were traded, and there was real hope. However, after weeks of hard work, there was a conflicting process and that drove House Republicans to quit the negotiations. Senate negotiators, in effect, were left without a dance partner. Our team kept making new offers. We tried to suggest proposals that had drawn support from Republicans and Democrats in the past, but the House settled on passing this 2-week extender bill that is now before us this evening.

However Senators choose to vote on this legislation, I want to recognize that this bill proves, once and for all, how broken America's tax system is. The Congress is about to spend $41 billion on a tax incentive package that when done right ought to lift the cloud of uncertainty and strengthen the important parts of our American economy. Instead, all of the $41 billion in this legislation is going to go for things that happened months and months ago. Virtually all of the $41 billion has absolutely no incentive power whatsoever. Reforming the Tax Code is going to be hard, but it can be done. I sat next to our former colleague Senator Gregg every week for 2 years to produce the first bipartisan Federal income tax reform bill. I am very grateful to our current colleague Senator COATS, who picked up on those efforts. Senator HATCH—and I commend him for it—put out an analysis for tax reform issues, recognizing that getting more perspectives in the debate is going to help advance reform.

I know Senator HATCH is going to keep working diligently when he takes the gavel—and I congratulate him for that—in January, and I look forward to working with him.

Before we wrap up for the year, I also want to congratulate Senator CASEY and Senator BURR, who worked tirelessly in a bipartisan way on behalf of the disabled. I met with these disabled folks in our community, and I commend Senator CASEY and Senator BURR for their work.

Here is the bottom line for the future: The middle class deserves a tax cut. The tax system in America needs to do more to promote innovation and launch a new wave of job creation. Our country desperately needs a simpler and more competitive corporate tax system that draws investment and jobs to our country. We have to end the cycle of stop-and-go policy that leaves taxpayers in the dark time and time again.

I want to yield our remaining time to my colleague Senator CANTWELL, from Washington and close by saying, retroactive tax bills, such as the one before the Senate tonight, may satisfy some, but they leave our workers, our families, and businesses wanting. It is the time for real tax reform.

For the last word on our side, my colleague and seatmate, Senator CANTWELL.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator for his leadership on the Finance Committee and just point out to my colleagues who come from States that don't have an income tax that this legislation before us tonight includes making sure we are able to deduct our State sales tax from our Federal tax obligations. I hope we will be here someday when we can actually get tax fairness in the code. This is a permanent solution. We don't have to go back every year to try to get the tax fairness our States deserve. My colleague Senator MURRAY is here and knows this issue well. But tonight at least we can say Washingtonians can

take the sales receipts they have this year and make sure they are deducted from their tax obligations for 2014. But as the Presiding Officer said, let's make sure we take these provisions that are so important for our economy to move forward and give the taxpayers predictability and certainty.

I would say that is making the sales tax deduction permanent, but I am glad Washingtonians will at least have this opportunity this year and we will move forward to have a more robust debate.

Mr. WYDEN. Mr. President, how much time does our side have left?

The PRESIDING OFFICER. There is 6½ minutes.

Mr. WYDEN. I want to yield 3 minutes to Senator BEGICH and 3 minutes to Senator CASEY.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I will be brief. I wanted to say I appreciate the Senator's comments, and what I thought was most important about it was the fact that these tax benefits come after the fact. It is not going to create new opportunities. The tax reform legislation the Senator has been working on with Senator Gregg, Senator COATS, and myself is about real reform. It is about setting economic opportunities and creating growth. It is not about looking back. It is about looking forward. I have the same feelings the Senator has on this bill; that doing the short term, really 2 weeks, and then putting uncertainty back into the system again for another year would be a mistake. From my perspective, it is a $40 billion bill that is not paid for. Let's deal with it. Let's figure out real tax reform.

I will not be here in January. I wish all the Members will sit down, after years of work that you have done, and focus on a longer term situation that actually creates incentive for small business and not after the fact. My wife is in a small business, and they don't spend the last 2 weeks trying to figure out what their tax benefits will be to help do to investments. They have done it already. If we really want to do something for the economy and have real tax reform and real tax relief, focus into the future and not the past.

I commend you for the work that has been done on this, but I agree that there are a lot of problems with this and the way it is laid out for 2 weeks which is problematic.

Mr. WYDEN. I want the body to know the Senator from Alaska has written some of the really thoughtful provisions with respect to education tax credits, and I commend him for that.

Mr. LEAHY. Mr. President, today, the Senate is considering the Tax Increase Prevention Act of 2014, a House-passed bill that extends a limited and narrow set of expired tax credits and deductions, and includes the Achieving a Better Life Experience Act of 2014, ABLE Act. Once again, Congress has waited until the eleventh hour to address tax credits that expired nearly a year ago. Once again, this has resulted in needless confusion for families and businesses who have been unable to plan and unable to grow, given the uncertainty of the outcome of these credits. I heard from Vermonters over the last year concerned about the expiration of these credits—and the pending expiration of dozens of more tax credits that benefit hardworking, middle-class families. Congress has a responsibility to do its part to provide certainty within the Tax Code to ensure families in Vermont and across the country have the predictability they need to make financial decisions. While I support extending these tax credits, I cannot support an effort that once again simply kicks the can down the road and leaves for the next year the unfinished business of this Congress.

I am disappointed that, earlier this year, Republicans in the Senate squandered an opportunity to consider a more comprehensive package that would have benefited small businesses, researchers, the environment, and middle-class families. I have been deeply disappointed in the process, which has left us with a choice between bad: passing the House bill; and worse: not doing anything. This legislation revives more than 55 expired tax deductions from 2013, and while I agree these are important provisions, I cannot support this bill on principle. We cannot continue to retroactively fix problems Congress carelessly and irresponsibly creates, without addressing the same tax provisions that will expire in just a few short weeks from now, only to have the same fight next year. It is time we have a meaningful, full debate about tax reform, and how Congress can ensure that our Tax Code reflects the needs of all Americans, not just those who are the wealthiest among us.

Included in this patch bill is the important ABLE Act, which allows those with disabilities to plan for their futures by creating tax-free savings accounts. I have strongly supported this legislation, and continue to do so. This legislation creates opportunities for individuals with disabilities to save for college or retirement or other living expenses and opens doors for families across the country. The House of Representatives held two votes last week related to taxes: one on the extenders package, and one on the ABLE Act. If the Senate were allowed to do so, I would cast my vote in strong support of the ABLE Act.

I asked Vermonters to elect me as their representative in the Senate because I wanted carry their voices to the decision centers in Washington. I strongly believe in the best of what the Senate has been, should be, and can once again become. There are many Vermonters, and people across the country, who are counting on us to provide comprehensive, long-term solutions to our country's problems. I hope that in the new Congress we can work together instead of kicking the can down the road, yet again. We were elected to find solutions, not excuses.

Mr. REED. Mr. President, the House has sent us a $42 billion year-long extension of several tax provisions known as tax extenders. This year-long extension is unpaid for, and while I will support this measure because several provisions in this bill need to be extended—and soon—I must raise concerns about the approach here to once again stack the deck against middle-class families. They rightfully are concerned that they have been left out—and continually so—in policies that this body finds the will to pass.

Case in point is the effort I engaged in all year with my Republican colleague, Senator HELLER, to restore emergency unemployment insurance benefits for 1.3 million Americans. Now this program is typically considered an emergency measure because it has been fundamental to supporting our economic recovery, and as such the $24 billion cost to extend the program through 2014 would normally not be paid for. Well this year that was not the case and several of my colleagues, particularly House Republicans, insisted that this typical emergency measure be offset for it to get consideration.

So Senator HELLER and I worked with several of our colleagues to craft a paid-for measure that would extend the program for 5 months. That paid-for bill passed the Senate, but the House has since refused to give it an up-or-down vote—despite the fact that it met the condition of being paid-for and the Congressional Budget Office had estimated a full year extension of the program would create 200,000 jobs and boost economic growth by 0.2 percent of GDP. So it strikes me as incredibly one-sided and patently unfair that House Republicans would send us a $42 billion unpaid-for retroactive year-long extension of tax provisions that would not generate the same kind of economic boost as UI, but they still would not consider helping the long-term unemployed as they search for work. Indeed, in the bipartisan Senate extenders bill, we included a provision that would encourage employers to hire the long-term unemployed—but even that modest change to the Work Opportunity Tax Credit was not included in the House bill.

This is part of a troubling pattern created by some of my colleagues on the other side of the aisle and in the other body—if it helps a small set of businesses or special interests, well the deficit does not seem to matter to them. But if a proposal or initiative is aimed at helping low and middle-income Americans get a foothold in the economy, then the standard is much higher and constantly changing.

The 1-year tax extenders bill does have some good provisions, like the extension of credits that help families afford college, make it easier for homeowners and lenders to keep families in

their homes, or promote the production of renewable energy like wind. But the bill also has tax breaks for race horses, rum, NASCAR and is skewed towards corporations. All equaling a total of $42 billion in unpaid-for tax cuts.

Indeed, we also considered an appropriations bill, which included a snuck-in provision that allows pension cuts on the backs of middle-income employees and retirees in multiemployer pension plans. We should not have considered such far-reaching pension reform without thoughtful, strenuous, and open debate. So the insertion of a pension deal, negotiated behind closed doors, that hurts middle-income employees and retirees at the waning hours of a lame duck Congress is untenable and further cause for Americans to think that their government does not have their back or care about their economic security. They will see Congress giving tax deals for race horses and NASCAR, while their pensions are cut. That's not how this body should govern.

Now as we enter a new Congress, we will have to confront the impending sequester that we will face head on again in fiscal year 2016, which will seriously frustrate our ability to provide for the national defense and general welfare. Those sequestration cuts, brought on by the refusal of my colleagues on the other side to reach a deficit reduction agreement that included raising revenue, total $109 billion per year and will impact non-defense and defense spending equally. So again it is striking that many of my colleagues on the other side will have no problem voting for $42 billion in unpaid-for tax cuts—or even as was reported last month, a $450 billion unpaid-for permanent extension of these tax breaks—but when it comes to helping American workers or confronting and undoing the sequester cuts to our domestic programs my colleagues on the other side apply a tougher standard that is tilted against everyday Americans.

I have made the tough choices in the 1990s to balance the budget and I have supported over $3.3 trillion in deficit reduction since 2010, over two-thirds of that coming from spending reductions. The deficit is on its fastest decline since World War II and has been cut by more than half since 2009. But the economy has not been growing fast enough and many Americans have seen stagnating wages and have the sense that the economy is stacked against them. So I will work with my colleagues, as I have consistently tried to do, to urge them to join with Democrats to spur broad-based growth for every American and ensure the economy and government works for them—not just for large corporations or special interests.

Mr. WHITEHOUSE. Mr. President, the Senate will likely pass legislation to extend several dozen expired tax provisions. While I support a number of the individual provisions extended by this bill, I rise today to explain why I reluctantly plan to oppose it.

The so-called ''tax extenders'' package includes the 1-year extension of a hodgepodge of over 4 dozen tax provisions. This extension is not for the year ahead of us, as one might reasonably expect, but rather for the year that's mostly past us. In other words, we will be extending for 2014 tax programs that expired at the end of 2013. This means that, for the most part, the bill will offer credits and deductions to reward things that have already happened while doing absolutely nothing to help businesses and individuals plan for the future.

If tax policy is intended to influence behavior, the extenders bill is a double failure: it spends money rewarding things that have already happened and offers no incentives for businesses and individuals for the year ahead.

Let's take for example the production tax credit for wind energy, a program I strongly support that encourages the construction of wind farms. The provision in the extenders bill offers this incentive for properties for which construction has commenced by the end of 2014. That's 3 weeks from now. Instead of giving energy companies time to plan and prepare wind projects, we are saying: if you happen to have one ready to go, you have got until the end of the holiday season to break ground. The clock is ticking.

In contrast to Congress's temporary, year-to-year treatment of the wind tax credit and other incentives for renewable energy, Big Oil and Gas enjoy permanent subsidies in the Tax Code. It is long past time to reform the Tax Code so it reflects America's 21st century energy priorities. Permanent incentives for oil and gas and temporary programs for renewable energy is simply upside-down public policy.

In total, there are 50 or so extensions in this bill, and the only thing they seem to have in common is that Congress repeatedly packages them together. It is truly a mix of the good, the bad, and the ugly. Let's start with some of the good provisions. In addition to clean energy incentives, the bill extends a popular tax credit that encourages businesses to hire veterans, a host of incentives for energy efficiency, and a provision that ensures that families that lose their homes in foreclosure do not incur tax bills for the deficiencies. These provisions have strong bipartisan support.

Then there is the bad: the unjustifiable tax giveaways. These include so-called ''bonus depreciation,'' a program that allows corporations to deduct the costs of equipment right away instead of spreading out the deductions over the life of the equipment. Congress first included this provision in 2009 in the Recovery Act when it made some sense. The idea was to encourage businesses to accelerate their purchases when the economy most needed the investments. We have extended it so many times, though, that now we are just giving money away to corporations for buying things they would have bought anyway. That is a nice subsidy for the businesses, but not a wise use of taxpayer dollars.

The bill also includes tax giveaways for NASCAR tracks and racehorses. While I know these sports are popular, it is hard to justify subsidizing them with taxpayer dollars at a time when we are running large deficits and face the prospect of more budget sequestration.

And then there is the ugly, the stuff that does actual harm. There is a pair of provisions in the bill—the ''active financing'' and ''controlled foreign corporation look through'' provisions—that reward U.S. corporations for shifting money overseas to avoid paying taxes. Sadly, there are already a number of provisions in the Tax Code that encourage companies to move operations and assets overseas. We should repeal those provisions, not enhance them as the extenders bill does.

This 1-year, retroactive mixed bag of extensions will increase the budget deficit by over $41 billion. To put that figure into perspective, that is more than the annual budget for the entire Department of Homeland Security.

Earlier this year, my senior Senator from Rhode Island, JACK REED, lead an effort to extend unemployment benefits for the millions of Americans who have struggled to find work in this uneven economic recovery. Republicans repeatedly filibustered his unemployment insurance legislation, with many citing the $17 billion price tag and the offsets included to pay for it.

I expect many of these same Republicans will vote to pass the $41 billion tax extenders bill, legislation which is not offset and will add to the deficit. If Republicans are truly as worried about the deficit as many of them claim to be, they need to raise these concerns consistently and not forget them when it is convenient. Spending through the Tax Code is still spending, and we should offset it.

Mr. President, next year this body will have new leadership and a fresh opportunity to tackle our Nation's problems. I hope Senate Republicans will show us they can exercise the power of being in the majority responsibly. President Obama says he is eager to work with the Republican majority on several major bills including tax reform. I too am eager to work with Republicans on sensible, responsible tax reform—reform that ends the era of year-to-year extensions, eliminates wasteful tax spending, and decreases the deficit.

Mr. WYDEN. I yield the rest of our time to Senator CASEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I am honored to be able to rise tonight. I will have a longer statement later to talk about the ABLE Act that Senator BURR and I worked on coming through the Finance Committee and talking with Chairman WYDEN and Ranking Member HATCH. I want to thank the

two leaders—Majority Leader REID and Republican Leader MCCONNELL—for not having just a bipartisan effort in the Senate but really a bicameral support for this legislation—over 400 Members of Congress supporting the ABLE Act, simple. For years we have created incentives in the Tax Code to save for higher education, the cost of college, to save for retirement. Now at long last for Americans who have a disability, those families will be able to save for a disability, whether it is to pay for health care or education, the basic expenses that these individuals with disabilities have wanted to save for, for many years.

I am honored to be part of it. I will have a longer statement later. This is a great testament to bipartisanship, coming together on such an important issue. We believe—this is what undergirds the ABLE Act—people with a disability have the ability to live a full life if we give them the tools. One of those tools is an incentive in the Tax Code to save for the future for an individual with a disability.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Utah.

Mr. HATCH. I yield 2 minutes to the distinguished Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank the soon-to-be chairman of the Finance Committee and the current chairman of the Finance Committee for the their help. I want to turn to my good friend BOB CASEY about this in just a second.

This has taken 8 years to bring to this point. The amazing thing is that we have taken the opportunity to meet with every group on every side of this issue and to find agreement finally, and to go out and tell the American people what we are doing, and they look at us and say this makes commonsense; what took so damned long. I am embarrassed it took so long, but this is a product that Congress, the Senate, can be proud of.

Senator CASEY just covered a lot of the specifics of the legislation. I will not go over those again.

I want to say to my colleagues: One of the clues that something was wrong was the fact that we penalized individuals who had disabilities from holding assets. It meant they couldn't buy a car and have it be in their name. It meant they could only earn so much before they were penalized. What we have done is changed the landscape, and we have actually put into effect something that allows them to accumulate something for the later years when parents are gone and when they are going to need the funds. We have tried to be fiscally responsible in capping the annual amounts, capping total amounts, affecting benefits if they exceed those amounts, and automatically reinstate them if they fall back below.

I think this is a bill that the Senate and the House of Representatives can be proud of. I thank the chairs, and I thank Senator CASEY. I also want to take the opportunity on behalf of our colleagues in the House to say to Congressmen CRENSHAW, SESSIONS and Congresswoman MCMORRIS RODGERS that we couldn't have done it without their leadership and an overwhelming vote in the House of Representatives. I urge my colleagues to not only vote yes but to be proud of this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am going to personally thank the distinguished Senators from North Carolina and Pennsylvania for their work on the act. It is a very important bill. I want to give them credit for doing such a good job. The Senate will soon vote on a 1-year tax extenders package that, if enacted, will retroactively extend tax provisions that expire at the end of 2014. It is quite literally the best we can do. At this point it is something we must do. We are actually disappointed that 1-year package that was sent over to the House was basically rejected by the President. We would have preferred to have had that package. On the other hand, this is reckoning time at the end of the year. I might add in his epic speech, Prime Minister Winston Churchill stated, ''Never in the field of human conflict has so much been owed by so many to so few.''

In the case of the legislation before us, it could be said: Never in the history of tax legislation have so many voted for so little and been so disappointed. In fact, today, for the first time in 20 years, we will ensure that the new Congress will start with all of the regular so-called tax extenders already expired at the end of the first session, as the distinguished Senator from Oregon has explained. That is a dubious distinction that was entirely avoidable in our view.

The problem of course is the President and some of his allies in the Senate pulled the plug on a bipartisan negotiation that would have produced a more satisfying result. As we all know, the Speaker of the House and the Senate majority leader were, just a few weeks ago, on the verge of reaching a deal that both sides could reasonably support. President Obama caught wind of the emerging deal which had yet to be finalized and promptly issued a veto threat. That threat was then ratified by many in this Chamber, including some at the negotiating table. For those who wish we were voting on a better extenders package, they should know who to blame—President Obama and his supporters in the Senate. At this late hour, passing a 1-year extension is the only option left for us.

I plan to support the bill before us, and I urge my colleagues to do the same. I should also note this bill includes, as we have said, the ABLE Act—a great piece of legislation that our colleagues, Senators CASEY and BURR, have worked on for years right up to this point. I want to applaud them for their work on behalf of families affected by disabilities. I take a great interest in that myself, so I am very pleased to see these two leaders getting this bill finally through.

I am pleased we are coming to the end of this session; hopefully in the next year, we can all work together to do an even better job than we have done this year.

How much time do we have remaining?

The PRESIDING OFFICER. There is 9 minutes remaining.

Mr. HATCH. How much time does the other side have?

The PRESIDING OFFICER. There is 3 minutes remaining.

Mr. HATCH. The Senate will soon vote on a one-year tax extenders package that, if enacted, will retroactively extend tax provisions that expired at the end of 2013. It is, quite literally, the least we can do, and at this point, it is something we must do.

The remarkable thing about this tax extenders bill is that no one seems to be happy with it. I don't know a single Member of Congress that is pleased that we're going to pass a simple, one-year extension of expiring provisions. But, sadly, that's where we are. Of course, it didn't have to be this way.

There was a time in the not-too-distant past when we were working on a package that would not only extend most of the expired provisions for a longer period time, but also make a number of important provisions permanent, thus eliminating much of the year-to-year roller coaster that individuals, families, and businesses have to go through when planning for their taxes.

There was bipartisan agreement on such an approach. And, in fact, at one point it appeared that a deal—a bipartisan, bicameral deal—was on the immediate horizon. But, as we all know now, that deal came crashing down after the President and some of his more liberal allies here in the Senate decided they were unwilling to compromise.

I came to the floor to talk about this debacle a couple weeks back, but some of the points bear repeating.

Just before Thanksgiving, the Senate majority leader and the Speaker of the House were very close to reaching a deal on the tax extenders, one that would have included all of the provisions of the Senate Finance Committee's extenders package—the EXPIRE Act—while also making a number of tax extenders permanent.

The emerging deal was a reasonable compromise. It would have been something both Republicans and Democrats could support, and I have little doubt that it would have passed easily through both Chambers.

It wasn't perfect. There were certainly parts of it that I, personally, could have lived without and provisions that most Republicans that I know didn't really support. But, as a

compromise between two negotiating positions, it was a very good deal, and, as I said, I believe it would have passed easily through both the House and Senate.

Unfortunately, the deal was not good enough for President Obama, who was apparently less willing than the Senate majority leader to compromise on the extenders package. Before the negotiations were even completed and a deal was even reached, the President issued a veto threat. That's right, the President issued a veto threat on a deal still under negotiation. That's how eager he was to put the kibosh on a compromise.

That was unfortunate. What was even more unfortunate, however, was that parties to the negotiations decided to ratify this threat and pull the plug on the deal being negotiated by the leaders of the two Chambers. The President's excuse for issuing his veto threat on the emerging deal was that it did too much to help the business community and not enough to help individuals and families.

For those of us who have been working on tax issues and have been asking the President to engage on these matters, this statement from the White House was more than just a little bit strange. After all, while Republicans have for years been strongly advocating for comprehensive tax reform, encompassing both the individual and business tax systems, the President has only expressed a willingness to engage in tax reform on the business side. Indeed, he has more or less refused to even talk about tax reform for individuals and families, unless, of course, such reform amounted to a massive tax increase.

In other words, he threatened to veto a tax extenders package that, in his eyes, only helped businesses and not individuals, while at the same time, maintaining a vision for tax reform that did just what he said he opposed—helping businesses and not individuals.

The mental gymnastics at play here are dizzying, and you would be forgiven for being confused by the White House's attempt to be on both sides of this issue.

I am definitely confused by the President's statements. I am even more confused as to why some of my colleagues here in the Senate opted to go along with it.

It is no secret that things are going to change around here in the next Congress. I can't imagine that any of my colleagues really think they are going to get a better deal on the tax extenders than the one that was being negotiated by the current Senate majority leader. But, as is too often the case around here, simple and obvious logic can easily be cast aside when there is a political point to be made. That's what I think is going on here. Pure politics. Sadly, as is also too often the case around here, the American people are the ones who are going to suffer.

Rather than a longer tax extenders deal with some permanency in some key provisions, the American people will be left with a 1-year, retroactive extension. Rather than being able to plan for the future, individuals, families, and businesses will instead have to wait around and hope that Congress can do better the next time around.

Don't get me wrong, I plan to support the 1-year extension, as I have said before, but, we could have done better. And, it's unfortunate that, once again, politics and an unwillingness to compromise stopped a good deal—one that would have satisfied the majority of both parties—from being made.

In his epic speech on the Battle of Britain, Prime Minister Winston Churchill stated: ''Never in the field of human conflict has so much been owed by so many to so few.''

In the case of the legislation before us, it could be said: Never in the history of tax legislation have so many voted for so little and been so disappointed.

In fact, today, for the first time in 20 years, a new Congress will start with all the regular so-called tax extenders already expired at the beginning of the first session. That is a dubious distinction that was entirely avoidable.

I have been pretty hard on the President for his actions on this matter. But, it is not just him. There are many in this Chamber who supported and went right along with him, and, as a result, the package we will be voting on is not nearly as good as it could have been. But, in the end, we don't have much choice on this matter. Passing the 1-year extension is the only option left to us at this late hour. So, I plan to support the bill before us, and I urge my colleagues to do the same.

Finally, I just want to say I am very pleased that an extremely important bill will accompany the extenders package. I'm talking about the Achieving a Better Life Experience Act of 2014, or the ABLE Act.

The ABLE Act makes permanent changes to the tax code that will provide critical assistance to families saving private funds for the support of individuals with disabilities. These funds may be used to maintain health, independence, quality of life, and pay for all manner of disability-related expenses. The funds may be used throughout the disabled person's life, an important feature for parents that worry about providing for children with lifelong challenges. The funds will supplement, but not supplant, benefits provided through private insurance, Medicaid, Social Security, and employment.

I especially want to thank my friends and colleagues, Senator CASEY and Senator BURR, who for several years have done the heavy lifting necessary to make this law a reality. For decades to come disabled Americans will owe these two Senators and their fine staffs an enormous debt of gratitude.

I yield the floor without losing any time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, as I indicated earlier, what is especially troubling to me is that we are talking about $418 billion, in effect, that is supposed to provide incentives. But it cannot change anything taxpayers did 6, 8 or 10 months ago. The decisions have been made. This is a 2-week bill.

I would just say, from my own standpoint, having worked with our colleague Senator COATS to present a bipartisan alternative, that the lesson out of this debate is that this cannot happen again. Senator HATCH and I put together a bipartisan bill, the EXPIRE Act. We thought that was the way to go. I continue to believe that had we had the opportunity, without an alternative process coming out in the home stretch, we could have built on that. That is not going to be possible tonight.

I hope that Senators will say, however they vote tonight, that the real lesson out of this is when you have an opportunity to provide certainty and predictability for the American economy, take it. Do not walk away from it. Unfortunately, because this bill is only 2 weeks long, that is what we are doing. We are walking away from the chance to provide some certainty and predictability.

Instead, our citizens are going to be in the dark come January 1 with respect to taxes. Let's make sure that next time on a bipartisan basis we do better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. If the Senator is prepared to yield back his time, I will yield back ours.

Mr. WYDEN. Mr. President, I yield back the time on our side.

Mr. HATCH. I yield back our time.

The PRESIDING OFFICER. All time is yielded back.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. BURR. Mr. President, 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.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

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

The result was announced—yeas 76, nays 16, as follows:

[Rollcall Vote No. 364 Leg.]

YEAS—76

Alexander	Graham	Murkowski
Ayotte	Grassley	Murphy
Baldwin	Hagan	Murray
Barrasso	Harkin	Nelson
Begich	Hatch	Paul
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Booker	Heller	Reid
Boozman	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Inhofe	Rubio
Cardin	Isakson	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Shaheen
Collins	Kaine	Shelby
Coons	King	Stabenow
Corker	Klobuchar	Tester
Cornyn	Landrieu	Thune
Cruz	Levin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCain	Vitter
Enzi	McCaskill	Walsh
Feinstein	McConnell	Warner
Fischer	Menendez	Wicker
Franken	Mikulski	
Gillibrand	Moran	

NAYS—16

Bennet	Leahy	Toomey
Brown	Manchin	Warren
Coats	Merkley	Whitehouse
Coburn	Portman	Wyden
Crapo	Risch	
Flake	Scott	

NOT VOTING—8

Boxer	Johanns	Sanders
Chambliss	Kirk	Sessions
Cochran	Lee	

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill (H.R. 5771) is passed.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 5771.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H. Con. Res. 124, which the clerk will report by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 124) providing for a correction in the enrollment of H.R. 5771.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution (H. Con. Res. 124) is agreed to.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

EXECUTIVE CALENDAR, NOMINATION DISCHARGED, AND PRIVILEGED NOMINATIONS

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 900, Broadcasting Board of Governors; 651, 970, Chemical Safety Board; 1079, Rasmussen; 514, Lopes; 1104, Bradley; 1141, Rosekind; 933, Tierney; 644, 645, 646, 737, Udall Foundation; 844, 845, 862, 864, 865, Legal Services Board; 757, 1085, 1086, Election Assistance Corporation; 1062, 1005, U.S. Attorneys; 1099, 1100, Coleman; 790, Alexander; 1111, Berteau; 1110, Scher; 1090, Baily; 1091, Cekuta; 1092, Uyehara; 1093, Mills; further, that the commerce committee be discharged from further consideration of the nomination PN 2092, O'Rielly; further, that the HELP Committee be discharged from further consideration of PN2065, PN1279, PN1280, Legal Services Board; further, that the Environment and Public Works Committee be discharged from further consideration of PN1916, Udall Foundation; that the nominations be agreed to; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

BROADCASTING BOARD OF GOVERNORS

Karen Kornbluh, of New York, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2016.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Richard J. Engler, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Manuel H. Ehrlich, Jr., of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Nicholas J. Rasmussen, of Virginia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

INTER-AMERICAN DEVELOPMENT BANK

Mark E. Lopes, of Arizona, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

DEPARTMENT OF VETERANS AFFAIRS

Leigh A. Bradley, of Virginia, to be General Counsel, Department of Veterans Affairs.

DEPARTMENT OF TRANSPORTATION

Mark R. Rosekind, of California, to be Administrator of the National Highway Traffic Safety Administration.

DEPARTMENT OF VETERANS AFFAIRS

Helen Tierney, of Virginia, to be Chief Financial Officer, Department of Veterans Affairs.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

Charles P. Rose, of Illinois, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring May 26, 2019.

Mark Thomas Nethery, of Kentucky, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring October 6, 2018.

Anne J. Udall, of Oregon, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring October 6, 2016.

Camilla C. Feibelman, of New Mexico, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring April 15, 2017.

LEGAL SERVICES CORPORATION

Martha L. Minow, of Massachusetts, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2017.

Charles Norman Wiltse Keckler, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2016.

LEGAL SERVICES CORPORATION

Gloria Valencia-Weber, of New Mexico, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2017.

John Gerson Levi, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2017.

Robert James Grey, Jr., of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2017.

ELECTION ASSISTANCE COMMISSION

Thomas Hicks, of Virginia, to be a Member of the Election Assistance Commission for a term expiring December 12, 2017.

Matthew Vincent Masterson, of Ohio, to be a Member of the Election Assistance Commission for a term expiring December 12, 2017.

Christy A. McCormick, of Virginia, to be a Member of the Election Assistance Commission for a term expiring December 12, 2015.

DEPARTMENT OF JUSTICE

David Rivera, of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years.

Arthur Lee Bentley III, of Florida, to be United States Attorney for the Middle District of Florida for the term of four years.

UNITED NATIONS

Isobel Coleman, of New York, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador.

Isobel Coleman, of New York, as an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Paige Eve Alexander, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

DEPARTMENT OF DEFENSE

David J. Berteau, of Maryland, to be an Assistant Secretary of Defense.

Robert M. Scher, of the District of Columbia, to be an Assistant Secretary of Defense.

DEPARTMENT OF STATE

Jess Lippincott Baily, of Ohio, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Macedonia.

Robert Francis Cekuta, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Azerbaijan.

Margaret Ann Uyehara, of Ohio, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Montenegro.

Richard M. Mills, Jr., of Texas, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United

States of America to the Republic of Armenia.

FEDERAL COMMUNICATIONS COMMISSION

Michael P. O'Rielly, of New York, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2014.

LEGAL SERVICES CORPORATION

Joseph Pius Pietrzyk, of Ohio, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2017.

Laurie I. Mikva, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2016.

Victor B. Maddox, of Kentucky, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2016.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

James L. Huffman, of Oregon, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring October 6, 2020.

Mr. PRYOR. Mr. President, I ask unanimous consent that the action of the Senate with respect to discharging PN Nos. 2065, 1279, 1280, and 1916 from the HELP and EPW Committees be vitiated.

For the information of the Senate, these nominations were on the calendar on the privileged nominations list.

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

ROSEKIND NOMINATION

Mr. THUNE. Mr. President. I support the nomination of Dr. Mark Rosekind to be the next administrator of the National Highway Traffic Safety Administration, NHTSA.

Dr. Rosekind has served as a member of the National Traffic Safety Board, NTSB since 2009. His expertise is in developing countermeasures for fatigue in order to enhance vehicle safety. He also previously served at NASA for a number of years, and founded a technology company aimed at creating software that helps to reduce the role of fatigue in traffic incidents.

While I have some reservations about his somewhat limited management experience, given the size of the workforce he has been nominated to lead, I believe Dr. Rosekind's experience and expertise will enable him to approach this agency that many perceive to be in crisis with an eye toward making it more agile and technologically capable. I believe that NHTSA must have a leader who can hit the ground running, and Dr. Rosekind's extensive work in the safety area gives me confidence that he will be the right leader at this time.

As I stated at Dr. Rosekind's nomination hearing last week, the string of auto recalls this year has been cause for grave concern. We are on pace to have the all-time worst year for auto recalls in U.S. history, with about 60 million vehicles being subject to recalls so far. In many of these cases, there are legitimate questions about whether NHTSA should have identified the defective products earlier and communicated more effectively with the public.

Since the start of the year, I have called on President Obama to nominate a qualified individual to lead NHTSA without delay because inaction sends a terrible signal to the regulated community and the American people about automobile safety and oversight.

It took 343 days for President Obama to nominate a qualified individual to lead NHTSA, at a time when the Nation faced a year of record recalls, from the GM ignition switch recalls that began in February to the recalls involving defective Takata air bags. In fact, President Obama did not formally nominate Dr. Rosekind until the evening before the Commerce Committee was to hold a hearing regarding these defective Takata air bags.

By contrast, it has taken only 22 days for the Senate to receive the nomination, work through regular order at the Commerce Committee to hold a hearing and a markup for Dr. Rosekind's nomination, and today, to confirm his nomination by the full Senate. I believe the Senate's action today sends the clear signal that Senators on both sides of the aisle care very deeply about improving auto safety.

I look forward to working with Dr. Rosekind as NHTSA continues to work through the issues underlying the record number of recalls this year. I particularly look forward to learning the conclusions of the top-to-bottom review of NHTSA currently being conducted by the Obama administration, which Dr. Rosekind has promised to share publicly. Dr. Rosekind has a challenging road ahead of him, and the Commerce Committee will continue to pursue rigorous oversight of NHTSA for the foreseeable future, as well as possible solutions to better address some of the lapses that have occurred both at NHTSA and with certain auto manufacturers and parts suppliers.

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

NOMINATION OF COLETTE DODSON HONORABLE TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION—Continued

Mr. REID. Mr. President, we are doing our best to keep everyone advised. We have got a picture; we have made a lot of progress. But in the meantime, my favorite words: 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. 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.

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 618; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; and that the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF EDUCATION

James Cole, Jr., of New York, to be General Counsel, Department of Education.

NOMINATION OF COLETTE DODSON HONORABLE TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION—Continued

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the cloture motions with respect to the following nominations be withdrawn: Calendar Nos. 840, Lopez; 922, Jadotte; 901, Stivers; 735, Cruden; and 553, Smith; further, that all postcloture time on the Honorable nomination be considered expired and the Senate proceed to vote on confirmation of the Honorable nomination; that upon disposition of the Honorable nomination, the Senate proceed to confirmation votes on the following nominations: Calendar Nos. 840, Lopez; 922, Jadotte; 901, Stivers; 735, Cruden; 553, Smith; further, that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

VOTE ON HONORABLE NOMINATION

The PRESIDING OFFICER. All time on the Honorable nomination has expired.

The question is, Will the Senate advise and consent to the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission?

The nomination was confirmed.

NOMINATION OF ESTEVAN R. LOPEZ TO BE COMMISSIONER OF RECLAMATION

NOMINATION OF MARCUS DWAYNE JADOTTE TO BE AN ASSISTANT SECRETARY OF COMMERCE

NOMINATION OF JONATHAN NICHOLAS STIVERS TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

NOMINATION OF JOHN CHARLES CRUDEN TO BE AN ASSISTANT ATTORNEY GENERAL

NOMINATION OF CHRISTOPHER SMITH TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY)

The PRESIDING OFFICER. The Senate will now proceed to the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Estevan R. Lopez, of New Mexico, to be Commissioner of Reclamation; Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce; Jonathan Nicholas Stivers, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development; John Charles Cruden, of Virginia, to be an Assistant Attorney General; and Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

VOTE ON LOPEZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Estevan R. Lopez, of New Mexico, to be Commissioner of Reclamation?

The nomination was confirmed.

VOTE ON JADOTTE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce?

The nomination was confirmed.

VOTE ON STIVERS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jonathan Nicholas Stivers, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development?

The nomination was confirmed.

VOTE ON CRUDEN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John Charles Cruden, of Virginia, to be an Assistant Attorney General?

The nomination was confirmed.

VOTE ON SMITH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy)?

The nomination was confirmed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

UNANIMOUS CONSENT REQUEST—S. 2244

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session and proceed to the consideration of the House message to accompany S. 2244, which is the Terrorism Risk Insurance Act; that the majority leader be recognized for the purpose of offering a motion to concur in the House amendment to S. 2244; that there be up to 10 minutes of debate equally divided between the two leaders or their designees prior to a vote on the motion to concur; that there be no motions to concur with an amendment or motions to refer in order prior to a vote on the motion to concur; finally, the vote on adoption of the motion to concur be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank Senator SCHUMER for trying to work with me on this bill, and the members of the banking committee. They have known my objections all along on both NARAB and the options we offered.

We offered this evening to the House three options under which they could enroll to come back to where the Senate had been in terms of a 2-year sunset provision. They disagreed with that. And the other options we offered—taking NARAB completely out of this bill—which doesn't have anything to do with the terrorism risk insurance bill, or to give States an opt-out so the States that don't want to be a part of the NARAB provision don't have to be a part of it, we have not been able to find agreement on that, despite the best efforts of a lot of people here this evening.

I ask the majority leader if he would agree to amend his request to strike the NARAB provision from the bill.

The PRESIDING OFFICER. Does the majority leader so modify his request?

Mr. REID. Mr. President, reserving the right to object, my friend from Oklahoma seeks to amend the House-passed TRIA bill with an unrelated piece of legislation in the sense that he knows—we all know—would change the bill, it is gone, and that would be a modification to the bill. If the Senate were to amend TRIA, we would have to send it back to the House of Representatives. They are gone. They are not going to change anything in the bill. We have been told that many times. Amending the TRIA bill would be just another way to kill the TRIA bill.

I say with respect to my friend from Oklahoma, whom I have worked with for 10 years, from the very beginning we have tried to work out something with him on this bill. We have been unable to do that. It is unfortunate, but his objection is going to kill TRIA. I am very sorry about that, but that is a fact. So I cannot accept his modification.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. COBURN. Reserving the right to object, to continue one portion of my statement, if I might.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. According to industry calculations, TRIA has made the industry $40 billion in the last 12 years. The American taxpayer takes all the risks, except for 35 percent, and the insurance industry makes the money.

We had a compromise bill coming out of the banking committee. My objections were well known at that time. They were trying to be accommodated by Senator SCHUMER.

With that, I must object to the bill.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

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

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

The yeas and nays resulted—yeas 51, nays 38, as follows:

[Rollcall Vote No. 365 Ex.]

YEAS—51

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	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—38

Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Coats	Heitkamp	Roberts
Coburn	Heller	Rubio
Collins	Hoeven	Scott
Corker	Inhofe	Shelby
Cornyn	Isakson	Thune
Crapo	Johnson (WI)	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Wicker
Fischer	Moran	

NOT VOTING—11

Alexander	Cochran	Lee
Blunt	Johanns	Sanders
Boxer	Kirk	Sessions
Chambliss	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 38.

The motion is agreed to.

NOMINATION OF STEPHEN R. BOUGH TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. REID. With this nomination, this will be the last vote of this Congress.

I ask unanimous consent that the remaining cloture motions with respect to judicial nominations be withdrawn and the Senate proceed to vote on the nominations in the order upon which cloture was filed and all time on the Bough nomination be yielded back.

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

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Stephen R. Bough, of Missouri, to be United States District Judge for the Western District of Missouri.

Mrs. MCCASKILL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mr. JOHANNS), the Senator from Illinois (Mr. KIRK), and the Senator from Alabama (Mr. SESSIONS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''no''.

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

The result was announced—yeas 51, nays 38, as follows:

[Rollcall Vote No. 366 Ex.]

YEAS—51

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	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—38

Ayotte	Burr	Collins
Barrasso	Coats	Corker
Boozman	Coburn	Cornyn
Crapo	Inhofe	Risch
Cruz	Isakson	Roberts
Enzi	Johnson (WI)	Rubio
Fischer	Lee	Scott
Flake	McCain	Shelby
Graham	McConnell	Thune
Grassley	Moran	Toomey
Heitkamp	Murkowski	Vitter
Heller	Paul	Wicker
Hoeven	Portman	

NOT VOTING—11

Alexander	Cochran	Leahy
Blunt	Hatch	Sanders
Boxer	Johanns	Sessions
Chambliss	Kirk	

The nomination was confirmed.

NOMINATION OF JORGE LUIS ALONSO TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

NOMINATION OF HAYWOOD STIRLING GILLIAM, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

NOMINATION OF AMIT PRIYAVADAN MEHTA TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

NOMINATION OF ALLISON DALE BURROUGHS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

NOMINATION OF JOHN ROBERT BLAKEY TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

NOMINATION OF AMOS L. MAZZANT, III, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS

NOMINATION OF ROBERT LEE PITMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

NOMINATION OF ROBERT WILLIAM SCHROEDER III TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS

NOMINATION OF JOAN MARIE AZRACK TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

NOMINATION OF ELIZABETH K. DILLON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA

NOMINATION OF LORETTA COPELAND BIGGS TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

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

The bill clerk read the nominations of Jorge Luis Alonso, of Illinois, to be United States District Judge for the Northern District of Illinois; Haywood Stirling Gilliam, Jr., of California, to be United States District Judge for the Northern District of California; Amit Priyavadan Mehta, of the District of Columbia, to be United States District Judge for the District of Columbia; Allison Dale Burroughs, of Massachusetts, to be United States District Judge for the District of Massachusetts; John Robert Blakey, of Illinois, to be United States District Judge for the Northern District of Illinois; Amos L. Mazzant, III, of Texas, to be United States District Judge for the Eastern District of Texas; Robert Lee Pitman, of Texas, to be United States District Judge for the Western District of Texas; Robert William Schroeder III, of Texas, to be United States District Judge for the Eastern District of Texas; Joan Marie Azrack, of New York, to be United States District Judge for the Eastern District of New York; Elizabeth K. Dillon, of Virginia, to be United States District Judge for the Western District of Virginia; and Loretta Copeland Biggs, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

ALONSO NOMINATION

Mr. DURBIN. Mr. President, I speak in support of Jorge Alonso, who has been nominated to serve as a Federal district court judge in the Northern District of Illinois. He will fill the vacancy that opened when Judge Ronald Guzman took senior status last month.

Judge Alonso is an outstanding nominee for the Federal bench. He was reported out of the Judiciary Committee last month on a unanimous voice vote.

I want to thank Chairman LEAHY for his efforts to move Judge Alonso's nomination promptly through the Judiciary Committee, and I want to thank the majority leader, Senator REID, for scheduling this vote on the floor.

Since 2003, Jorge Alonso has served as an associate judge for the Cook County Judicial Circuit. He is currently in his third appointed term as a State trial court judge. Judge Alonso has presided over hundreds of cases that have gone to verdict or judgment, including at least 88 jury trials.

He also presides over the Women's Justice Mental Health Call in Cook County. Judge Alonso helped to create this program, which provides intensive support and services to women in the justice system who have suffered from trauma and addiction.

Prior to serving as a State court judge, Judge Alonso served for 12 years as an assistant public defender in Cook County. As a public defender, he participated in approximately 30 jury trials and 150 bench trials.

In addition to his substantial courtroom and judicial experience, Judge Alonso has an admirable record of service to the Chicago community. Among his activities, he serves on the boards of the Daniel Murphy Scholarship Fund, which provides scholarships and support to low-income Chicago students, and the Cristo Rey Jesuit High School in Chicago's Pilsen neighborhood.

He also works as a judicial intervenor with the Lawyers' Assistance Program, which assists members of the bar who are struggling with mental health or addiction issues.

Judge Alonso came highly recommended to me by a bipartisan judicial screening committee that I established in the Northern District. I was pleased to recommend Judge Alonso's name to the White House for this nomination.

I also thank my colleague, Senator KIRK, for submitting his blue slip in support of the nomination.

In short, Judge Alonso has the experience, the integrity and the judgment to be an excellent addition to the Federal bench in Chicago. I urge my colleagues to support this outstanding nominee.

VOTE ON ALONSO NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jorge Luis Alonso, of Illinois, to be United States District Judge for the Northern District of Illinois?

The nomination was confirmed.

VOTE ON GILLIAM NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Haywood Stirling Gilliam, Jr., of California, to be United States District Judge for the Northern District of California?

The nomination was confirmed.

VOTE ON MEHTA NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Amit Priyavadan Mehta, of the District of Columbia, to be United States District Judge for the District of Columbia?

The nomination was confirmed.

VOTE ON BURROUGHS NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Allison Dale Burroughs, of Massachusetts, to be United States District Judge for the District of Massachusetts?

The nomination was confirmed.

BLAKEY NOMINATION

Mr. DURBIN. Mr. President, I speak in support of the nomination of Jack Blakey to serve as a Federal district court judge in the Northern District of Illinois. Mr. Blakey has been nominated to fill the seat that was left vacant when Chief Judge James Holderman took senior status last December.

In Illinois we have a bipartisan process for recommending Federal district court judges to the White House. Under this process, Mr. Blakey was recommended by my colleague, Senator KIRK, and I support his nomination.

Mr. Blakey currently serves as the chief of the Special Prosecutions Bureau in the Cook County State's Attorney's Office. He has served in this position since 2009. During that time, he has also served as a special assistant U.S. attorney in the Northern District of Illinois. He helps supervise all joint State-Federal investigations and prosecutions in Cook County.

Mr. Blakey previously served as an assistant U.S. attorney in Chicago from 2004 to 2009, as an AUSA in Miami from 2000 to 2004, and as an assistant State's attorney in Cook County from 1996 to 2000.

Mr. Blakey has gained significant courtroom experience over the course of his career. He has tried over 90 cases to final verdict, including at least 27 jury trials.

Mr. Blakey is a graduate of the University of Notre Dame and Notre Dame Law School.

Upon Mr. Blakey's confirmation, the Federal district courts in Illinois will be operating at full strength, with no vacancies in the State.

I urge my colleagues to support this nomination.

VOTE ON BLAKEY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of John Robert Blakey, of Illinois, to be United States District Judge for the Northern District of Illinois?

The nomination was confirmed.

VOTE ON MAZZANT NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Amos L. Mazzant, III, of Texas, to be United States District Judge for the Eastern District of Texas?

The nomination was confirmed.

VOTE ON PITMAN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will

the Senate advise and consent to the nomination of Robert Lee Pitman, of Texas, to be United States District Judge for the Western District of Texas?

The nomination was confirmed.

VOTE ON SCHROEDER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Robert William Schroeder III, of Texas, to be United States District Judge for the Eastern District of Texas?

The nomination was confirmed.

VOTE ON AZRACK NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Joan Marie Azrack, of New York, to be United States District Judge for the Eastern District of New York?

The nomination was confirmed.

VOTE ON DILLON NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Elizabeth K. Dillon, of Virginia, to be United States District Judge for the Western District of Virginia?

The nomination was confirmed.

VOTE ON BIGGS NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Loretta Copeland Biggs, of North Carolina, to be United States District Judge for the Middle District of North Carolina?

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for debate only, with Senators permitted to speak for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—H.R. 5701

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5701, which is at the desk; that the bill be read three times 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 Louisiana.

Mr. VITTER. Mr. President, on behalf of Senator SESSIONS, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WYDEN. Mr. President, this objection is very unfortunate. The Oregon congressional delegation has teamed up in a bipartisan way to provide, among other things, trust land for the two remaining Native American tribes in our State that have no land base. These tribes have been waiting for over 100 years, and Senator MERKLEY and I, with the whole Oregon congressional delegation, intend to be back early next year working to pass these bills and stay at it until justice is done.

UNANIMOUS CONSENT REQUEST—H.R. 4137

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, also on behalf of Senator SESSIONS, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 4137; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to be clear, as chair of the Senate Finance Committee, that I oppose taxpayers subsidizing illegal conduct, and I also oppose setting up a one-size-fits-all Federal mandate that is going to create redtape and confusion for our States to implement.

This proposal says that TANF electronic benefits cannot be used in any retail store which sells marijuana. This means that a TANF card cannot be swiped in these locations. The reality is that TANF benefits can be withdrawn for cash, and cash can be spent anywhere. Yet this proposal does not seem to recognize that fact.

Of course, we here in the Senate often hear of burdensome Federal rules and regulations that are imposed on our States and our businesses. My view is this sounds like the epitome of needless bureaucracy in its current form and actually achieves nothing except generating a lot of regulatory hassle.

For the reasons I have stated, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 1898

Ms. WARREN. Mr. President, I came to the floor last week to ask a simple question: Who does this government work for? Does it work only for the billionaires and the biggest corporations or does it work for all of us?

I asked that question last week as Congress considered the government funding bill—a bill that included a completely unrelated provision literally written by Citigroup lobbyists that increased the risk of future taxpayer bailouts just so the biggest banks in this country could rake in more profits. Sadly, that bill was just the latest example of how the government works just fine for those who have already made it.

In the past few years, Federal agencies have entered into a number of major settlement agreements with big banks and other large corporations after those companies have broken the law. These agencies have touted these settlements as being worth millions or in some cases billions of dollars. That sounds like a great deal for taxpayers, but often that sticker price is much higher than the actual value at the settlement. Agencies have often permitted corporations to deduct the cost of the settlement from their taxes, which can cut the actual value of the payment by more than 30 percent. And instead of requiring corporations to actually pay the full settlement amount, agencies often give corporations credits toward the settlement amount for taking certain actions—actions the corporations would have taken even if the settlement had never existed. By structuring the settlements this way, agencies can get credit for being tough on corporate wrongdoers even when the actual deal paints a much different picture.

In January I introduced a bill with Senator COBURN to shed more light on this kind of backroom dealmaking. This bipartisan bill, the Truth in Settlements Act, is pretty simple. It just requires Federal agencies to publicly disclose certain basic information about the major settlements they enter into with corporations—information such as whether a settlement is going to be tax deductible or whether it lets companies claim credit for things they are already doing. That is pretty much it.

The idea behind the bill is straightforward. If the government is going to cut deals on behalf of the American people, the American people are entitled to know what kind of a deal they are getting. That is the only way the public can hold agencies accountable.

The Homeland Security and Governmental Affairs Committee approved the Truth in Settlements Act in July without any objections from any Democrats or any Republicans. The CBO found the bill wouldn't cost taxpayers a single dime. This is a nonpartisan, commonsense measure that simply brings more transparency to

critical actions the government takes on behalf of the public.

Accordingly, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 566, S. 1898; 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 considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. TOOMEY. Mr. President, on behalf of Senator CORNYN, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. Mr. President, I am disappointed but not surprised that there is an objection to this request because although there is bipartisan support for this bill and only one outside group has raised concerns—that group is the U.S. Chamber of Commerce, a powerful lobbying organization that represents the interests of large corporations. The chamber's concern about this bill demonstrates just how much the interests of these giant corporations that break the law conflict with public interests.

In its letter opposing the bill, the Chamber wrote that the bill ''would remove the incentive for investigation targets to settle and force the government to expend more resources to prove its assertions in court.'' Think about that for a second. The chamber's position is that agencies shouldn't disclose basic facts about settlement agreements to the public because if the public were aware of those facts, they would demand more accountability for corporate wrongdoers.

The chamber's position boils down to this: Let's keep the details of these agreements hidden from view so that corporate wrongdoers don't have to worry about any real accountability for their illegal actions. That sounds great if you are a big company that breaks the law, but I don't think it sounds great to the American people. I think the American people are tired of seeing large corporations break the law and then negotiate sweetheart deals behind closed doors.

While we will not be able to pass the Truth in Settlements Act this Congress, I will be reintroducing it in the next Congress, and I will continue to fight for the public to get access to the details of these agreements because we weren't sent here to work for big companies and to protect them from accountability when they break the law; we were sent here to stand up for everyone.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENTS REQUEST—H.R. 2126

Mrs. SHAHEEN. Mr. President, I am here with Senator PORTMAN of Ohio to try—I think for about the sixth time—to get energy efficiency legislation passed.

Senator PORTMAN and I have been working on legislation called the Energy Savings and Industrial Competitiveness Act for 4 years now. We have tried to bring it to the floor, and it has been objected to not because of provisions in the bill but because of extraneous provisions that have people holding it up.

Tonight we are again trying to pass a smaller version of that bill. It is H.R. 2126, the Energy Efficiency Improvement Act, which was passed out of the House with a strong bipartisan vote of 375 to just 36. It was sponsored in the House by Representative MCKINLEY from West Virginia and Representative WELCH from Vermont. Senator PORTMAN and I introduced the same bill here in the Senate a couple of weeks ago.

I am going to be asking for unanimous consent that the Senate consider passage of this legislation. Before I do that, it is my understanding it is going to be objected to again and that Senator TOOMEY is here to do that. But I wonder if I could get an answer to a question from Senator TOOMEY about what his specific objections are to the legislation.

I understand the Tenant Star provision in the bill is what he is objecting to. Yet this would establish best practices, and it would set up a voluntary certification system for efficiency and commercial tenant spaces. What it does not do is provide financial incentives or create new regulations. It is a voluntary, market-based, business-friendly approach to encouraging energy efficiency—which is the cheapest, fastest way to deal with our energy needs in this country. It is something everybody agrees we should try and do.

So I wonder if I can ask my colleague from Pennsylvania if he could describe his concerns about that provision in the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I am objecting on behalf of a colleague who is unavoidably detained. So the Senator from New Hampshire will have to take this up with our colleague.

Mrs. SHAHEEN. Mr. President, in that case, I ask unanimous consent that the energy committee be discharged from further consideration of H.R. 2126, the Energy Efficiency Improvement Act, and the Senate proceed to its consideration; that the bill 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. Is there objection?

Mr. TOOMEY. Mr. President, on behalf of my colleague who is unavoidably detained, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Mr. President, I yield to my colleague from Ohio who I know is here to talk about the legislation or my colleague from New Hampshire who has been working on the Tenant Star provision with Senator BENNET from Colorado.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I thank my colleague from New Hampshire and my colleague from Ohio, Senators SHAHEEN and PORTMAN, for their work on this legislation.

As my colleague from New Hampshire has said, unfortunately this is a piece of legislation that is being blocked. As we saw on the floor, we don't even know the reason it is being blocked. I think, when we have an objection on the Senate floor, we should have to come to the floor and state what our objection is.

So here we are. We are going to again ask for this legislation to be brought forward that passed overwhelmingly in the House and in fact has overwhelming support from both the business community and environmental groups.

If the Tenant Star provision is what is being raised—we are not quite sure what the objection is because we haven't heard here publicly.

This program is supported not only by commercial landowners but also tenants, the business community, and environmental groups. What it does is establish a market-based approach that is not a mandate but encourages both the commercial owners and tenants to be able to create a voluntary Tenant Star certification to encourage commercial tenants to implement cost measures that will help reduce energy consumption.

Energy efficiency is a bipartisan way we can reduce energy costs, we can protect our environment, and we can ensure that we don't have to be dependent on countries overseas. It is about security of this country too.

I thank my colleagues, Senators SHAHEEN and PORTMAN, for working so hard on this bill. It is surprising, this bill that passed—obviously, a smaller version of the bill that they have introduced and I am proud to cosponsor, but it has overwhelming support. It passed the House. It is unfortunate that we are here and aren't going to be able to get this done because it is just common sense.

Again, the program is not a mandate. There is no tax incentive, no grant program. It contains no regulatory authority, no new costs. This is one that just makes common sense.

So I am very disappointed that this bill is not going to be brought forward tonight. It is unfortunate that we are essentially here fighting against something we don't even know what the objections are because they haven't been stated publicly.

With that, I again thank my colleagues for working on this bill. I hope to support their efforts in the next Congress to get this bipartisan, commonsense energy efficiency legislation through this body.

With that, I turn to my colleague from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am also joined by our colleague from Alaska, the ranking member on the energy committee who will be the chair come January. I want to give her a chance to talk in a moment, but let me state a few things.

First, this legislation represents a lot of hard work by a lot of people, including Senator AYOTTE from New Hampshire, who spoke, Senator SHAHEEN also from New Hampshire, Senator BENNET, and others. It is an example of smart, bipartisan legislation that was worked out with the business community, with folks who are concerned about energy efficiency who are in nonprofits. It has no objection, as far as I know, in the real world; meaning there is no group, not a single group, that has objected to it.

On the other hand, there are dozens of people who support it, including business groups, environmental groups, and people who want to have the opportunity on a voluntary basis—no mandates, as the Senator from New Hampshire has said, to be able to know that there is a certification that a building is energy efficient, to be able to have information.

Second, I want to make the point that it is part of four provisions, one of which is urgent because it involves a decision we have to make now—tonight—in the Senate in order to keep a regulation from the Department of Energy unfairly imposed on businesses and consumers in America, and this is the water provision.

So not only are we objecting to something I don't think anyone objects to in the real world, but also we are blocking something that would be good for our consumers and good for business.

Because of our inaction tonight—because we had this objection for reasons we don't know because we have not been able in two nights on the floor to get a reason. All we heard was: We object. No reason. We are stopping the ability for companies to produce water heaters that are then used by rural electric co-ops that are used in an energy-efficient way, because during a peak demand they are turned off. So they could superheat the water and be turned off in peak demand, called demand response. It is an efficiency measure.

The regulation doesn't make any sense that bans the production of these water heaters, but it is because of legislation that Congress passed that DOE feels they have to oppose the regulation.

So tonight we had the opportunity not only to pass something good on Tenant Star, not only to do other things that are good for the Federal Government to become efficient—the biggest energy user in the world, by the way—but also we have an urgent matter before us; that is, to change this regulation before manufacturers are blocked from producing these water heaters.

Rural electric co-ops all over the country are watching tonight, and they are disappointed. Why? Because they use these water heaters, and they use them in an energy-efficient way. They are not going to be able to do that going forward because manufacturers are literally having to stop producing these water heaters because we are not acting.

So after the first of the year I hope we will be able to, in regular order, take this forward, and hopefully some of these manufacturers will begin to produce these water heaters again. Once we can take care of the regulations that are onerous on business owners and consumers and does not make sense for energy efficiency.

Finally, this is part of what I hope will be the past Congress. I hope in the future Congress, which will start in January, that we do things in a different way. I hope we begin to look at ideas from both sides of the aisle, find common ground, and move forward in legislation to help the American people.

This is a small matter. I understand that. It is a big matter if you are a rural electric co-op or if you are one of these commercial buildings that want to use Energy Star or if we care about the fact that we think about $5 billion is wasted in energy inefficiency by the Federal Government that could be addressed by some of the other provisions here tonight.

I think this is, unfortunately, symbolic of where we are as a Congress. We can't even get simple things done.

This legislation was reported out of the committee in the House unanimously—all four provisions. We are talking about the Republican-led House unanimously on the floor of the House passed by a vote of 375. I think it was 375 to 34, as I recall. We don't see those kind of bipartisan votes often.

Then it came over here. It has gone through the energy committee. The energy committee's vote was something like 18 to 3, as I recall. It has come to the floor now for the third time—the fourth time, if we include last night.

This legislation has been fully vetted. We have had hearings on it. We have done all the right things. We have played by the rules, and those of us who played by the rules on this legislation again are being stopped as we get to the floor of the Senate.

I hope we will see not just good energy efficiency legislation passed in the next Congress but other legislation as well to deal with our Tax Code that is out of date, antiquated, to deal with the overreach and regulations, some of the regulatory reform measures that the Presiding Officer and I have talked about.

We can deal with the fact that we are falling behind in terms of exports; that we are not dealing with some of our urgent problems we should be dealing with to get this economy moving.

We have to change the way we are doing business around here. We are letting things move only in very incremental and, unfortunately, partisan ways. We are not allowing the process to work.

So I am hopeful this legislation will be taken up in January. I am very disappointed it was objected to again tonight for no apparent reason. I am hopeful this will lead us to be able to better represent the people who hired us, the people who said: Go to Washington. I want you to find common ground because there are big problems to solve, not just give speeches. We have had enough of those. There is enough rhetoric. It is time to get things done. This is a small example of what could have gotten done tonight but for an objection with no apparent reason.

With that, I appreciate the fact that my colleague from Alaska has stayed late to be able to talk about this tonight. She will be the next chair of the energy committee, and she has the ability. Working with her colleagues on the other side of the aisle, to get some great legislation accomplished, and I hope this will be one of them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I join with my colleagues and express my disappointment that we are again at this place: A good measure that has good, strong, bipartisan, bicameral support has been blocked. It has been objected to.

I made a comment last evening when we once again attempted to bring up the unanimous consent order to advance the energy efficiency bill. It kind of feels like ''Groundhog Day,'' the movie, where it is just the same scene over and over again, the third time to the floor on a measure that enjoys strong support. It kind of begs the question, why? What is the problem with it? But as both my colleagues Senator SHAHEEN and Senator AYOTTE from New Hampshire have outlined in terms of the specifics, there is no opposition there.

As the cosponsor, my colleague from Ohio has pointed out these four provisions that are contained in this House measure have so much bipartisan support that it passed the House unanimously coming over here.

So we have to ask: If we cannot advance a measure in this body such as energy efficiency that enjoys this level of support, how can we do anything around here?

I asked the question months ago, when I was being stopped in the hallway by reporters asking: What is going to happen to the energy efficiency bill, and I was bullishly optimistic because, as I said, this is a measure that enjoys strong support. It enjoys strong support and it is common sense.

I said: If we can't demonstrate that, we can't get a measure such as energy

efficiency through both Houses and enacted into law, how are we ever going to get to the really thorny, difficult issues?

I have been working with my colleagues on the appropriating side of energy and water, the Senator from California and Senator ALEXANDER from Tennessee working with us on the authorizing side. First it was me and Senator WYDEN, and then it was me and Senator LANDRIEU, and in January it will be Senator CANTWELL.

We will be trying to figure out how we are going to deal with the issues surrounding nuclear waste disposal. These are tough issues. These are contentious. We have got some issues that will face us in the new Congress relating to the export of our energy resources. These are also going to be contentious. How are we ever going to get to the tough ones if—on the easy ones, what we describe around here as the low-hanging fruit—we cannot get through this process?

So I have to say, it is late—it is not the 11th hour; it is beyond the 11th hour because we have just taken the last vote, the last vote of the 113th Congress. We are done, and what we are leaving people with is uncertainty. When we are talking about those ways that we as a Congress can help right some of the problems in this country—how we can get our economy on a better track, how we can move towards more jobs and job creation—the best thing we can do is offer a level of certainty.

Well, right now you have these manufacturers of these water heaters that are saying: We don't know whether we are going to have any kind of a reprieve from this regulation or not. So we are not only not going to be making these water heaters, but that means we don't have the workers, those in the manufacturing companies who are going to be there or the people that are selling them. Think about what we have done with this one hurdle that we just couldn't get around. Yet we couldn't get a straight answer as to what the opposition—what the pushback—was.

Something is wrong with this process when we cannot advance measures such as the energy efficiency bill, a measure that has been worked on for years—diligently and in good faith—in a very, very open and bipartisan way. So I am hopeful that the 114th Congress is going to bring with it not only some fresh air—fresh perspective—but a willingness and a commitment to move through a process. If there is an objection, it should be stated, and we can work it out. But to continue to block and block when we have the level of support on a measure that we have, that is just not right. There has to be a better way. So I have pledged to my colleagues, the sponsors of this bill and all of those who have been working hard on it, that we are taking this back up again in the new year. We are going to work to make sure this has, yet again, the committee process, now for the third time, and we will work to advance it to the floor. It is my hope that if someone has problems with it, they have a solution to fix it, and they then come down and offer their amendments, we will debate them, and we will move on. But we have to be in a better place than where we have ended this evening.

So it is with regret that I say we will take it up again next year. But my hope is that we will do right by our energy policy, by focusing not only on the production side, not only the renewable side, but our efficiency measures that we have included in this bill. We are going to do right for a lot of the right reasons.

With that, I yield the floor.

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

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

MORNING BUSINESS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ACHIEVING BETTER LIFE EXPERIENCE ACT

Mr. DURBIN. Mr. President, I want to thank my Senate colleagues for joining me in supporting and passing the Achieving Better Life Experience Act. I especially want to acknowledge Senator ROBERT CASEY, who has been a champion for all people with disabilities and the ABLE Act for years.

Earlier this year, Senator CASEY introduced us to Sara Wolff—a 31-year-old law clerk at O'Malley and Langdon in Scranton, PA. Since 2007, Sara has been an advocate for the National Down Syndrome Society. She also happens to have Down syndrome. Currently, Sara cannot have more than $2,000 in assets before her government aid is cut off. Every month, she works with her employer so that she doesn't earn more than $700. This enables Sara to maintain her much needed government benefits.

Over a year ago, Sara lost her mother to a sudden illness. It was a tremendous loss—her mother was her No. 1 advocate. Before her mother passed, Sara promised her that she would fight to get the ABLE Act passed. Sara has her whole life ahead of her and she needs a savings account to plan for her future, and she is not alone. Thousands of people with disabilities are outliving their parents. Parents need the peace of mind that their children will be taken care of.

Everywhere I go in Illinois, I meet people whose lives have been affected by disabilities. Take Gene and Lynn Bensinger—from the north side of Chicago. Gene and Lynn are the parents of two adult sons. Their oldest son, Nate, is 21 years old and has autism spectrum disorder. Nate is about to ''age out'' of services offered through Chicago Public Schools and will no longer be eligible for special education services that he relies on. Nate's parents, along with thousands of Illinois families, experience many sleepless nights worrying about their responsibility to financially support their adult children today, in the future, and long after they are gone. Without this important legislation, it is almost impossible for those with disabilities—like Nate and Sara—to save enough so that they can be financially independent.

The ABLE Act will encourage and assist individuals and families to invest in private savings accounts, which can then be used to support activities that allow those with disabilities to maintain a healthy, independent life. Here's how it will work. The ABLE Act establishes tax-exempt accounts to assist parents of children with a disability to help provide for their long-term care. The accounts can be used to pay for medical care, dental care, education, housing, transportation and other community-based supports for individuals with disabilities. The money earned in an ABLE account would supplement but not replace Medicaid, Social Security, or other benefits. This would enable people, like Sara, to earn a livable wage and save for the future without worrying about losing coverage for critical health services.

I thank Senators ROBERT CASEY, RICHARD BURR, and 77 of my colleagues for cosponsoring this legislation. This is a true bipartisan effort. By passing this bipartisan bill today, Sara gets to keep her promise to her mother—and thousands of people with disabilities—like Nate—will finally be able to save for the bright futures they deserve.

SENATOR PAUL SIMON WATER FOR THE WORLD ACT

Mr. DURBIN. Mr. President, today we celebrate the passage of a bill I have been working on for 6 years—the Senator Paul Simon Water for the World Act.

The bill is aptly named after my predecessor from Illinois in the Senate—Paul Simon. Paul Simon was ahead of his time on so many issues—including on the importance of clean water and sanitation for the world's poor.

He understood if you wanted to avoid conflict between some nations, you had to look at the issue of water. He understood if you wanted to keep a girl in school or reduce infant mortality, you had to provide adequate sanitation and clean water. He understood that without clean water and sanitation, efforts

to improve health and economic opportunities will never be fully realized.

In fact, a dollar spent on clean water and sanitation returns between $4 and $8 in economic, health, and other benefits. Paul understood all this.

In 1998, he wrote the book, Tapped Out. It was prescient in its wisdom and policy proposals. Despite my recommendations, the book never became a bestseller. Though Senator Simon's wife, Patti Simon, has become a champion on water in her own right.

In 2005, the Congress passed the Senator Paul Simon Water for the Poor Act, which made providing access to clean water and sanitation for the world's poor a key priority in U.S. development assistance.

When we passed this bill, it was the first time our Nation had written into law our commitment to any of the United Nations Millennium Development Goals.

Since then, we have succeeded in increasing funding for these important goals. USAID established an Office of Water and a Senior Water Coordinator for Water, and last year, it launched its first-ever Global Water and Development Strategy to significantly increase clean water and sanitation programs.

These efforts and the original legislation have made real differences in the lives of the world's poor. I have seen the simple wells providing water for thousands in Haiti.

For the first time, water and toilets have been provided to slum communities in Indonesia, where USAID's program has helped the local water utility reach thousands upon thousands of poor people who never had access to clean water and sanitation.

In fact, in 2012, the world achieved the Millennium Development Goal of reducing by half the proportion of people in the world without access to clean drinking water and basic sanitation. At that time, it was the only Millennium Development Goal to have been achieved.

So for the last several years, we have tried to pass the Simon Water for the World Act—and in 2009 it passed the full Senate, only to stall in the House. Again last Congress, it passed out of the Senate Foreign Relations Committee.

Today's version does not include everything from the original bill—I wish it would have included more. But such is the nature of compromise.

Today, with passage of the Senator Paul Simon Water for the World Act, we are going to make more progress.

It would not have happened without my partner in this effort, Senator CORKER, and strong support from Senators COONS, FLAKE, and MURRAY here in the Senate. I also need to acknowledge the leadership of Representatives BLUMENAUER and POE and the great help of Representative ROYCE in the House.

This bill will lock in many of the leadership, program, and strategic changes that have occurred around USAID water and sanitation programs in recent years. It will establish the diplomatic and conflict mitigation priorities around water at the Department of State. It will refine and establish key criteria to ensure our scarce foreign assistance dollars for water and sanitation are truly reaching the world's most impoverished populations.

We have made progress. But there are still almost 1 billion people around the world who lack access to clean water, and at least 2.5 billion more people lack access to adequate sanitation.

Every day in the developing world, 5,000 children die from water-borne diseases. Millions of poor children miss school every day because they have to walk for hours to find water for their families, or they are sick from drinking dirty water. Girls and women suffer most when this happens because they are the water-carriers of the world.

Experts in the Pentagon and elsewhere have called the world water shortage a real and growing threat to America's own security.

New York Times columnist Tom Friedman published a devastating piece about how drought and water mismanagement contributed to Syria's bloody civil war that makes that clear.

We also know that every dollar we invest in clean water and basic sanitation yields many times that amount in benefits: people are healthier; kids stay in school; food is safer; AIDS drugs and other critical health treatments are able to work.

So I thank my colleagues, my key cosponsors in the Senate and House, Patti Simon, and the many organizations for supporting this important legislation. It will help save lives.

VOTE EXPLANATION

Mr. NELSON. Mr. President, I was necessarily absent for the vote on the motion to proceed to executive session to consider the confirmation of the nomination of Sarah R. Saldana, to be an Assistant Secretary of Homeland Security, which occurred on Saturday, December 13, 2014. Had I been present, I would have voted in favor of the motion.

ARMY PUBLIC SCHOOL MURDERS

Mr. COONS. Mr. President, I wish to offer my heartbroken condolences to the people of Pakistan and to the friends and family, the parents and loved ones, of those murdered yesterday at the Army Public School in Peshawar.

As the Pakistan military continues its assault on the Pakistani Taliban in North Waziristan, the terrorist group responded yesterday with an act of murder and barbarity that simply has no parallel, as nine gunmen murdered more than 140 students and teachers who together were simply gathered to ensure a brighter future for their country.

This is a crime that simply passes comprehension. As the father of three, I can only imagine in my worst nightmares the reality that those parents are now living.

Unfortunately, as a nation, Americans have in our not so distant past also felt the grief that now envelops Pakistan.

Two years ago this past weekend, a gunman stormed the Sandy Hook Elementary School in Newtown, CT and murdered 26 of our sons and daughters, our brothers and sisters. Two years later we remain in mourning, for the lives taken from us and for the futures that were so quickly extinguished.

My prayers are with all Pakistanis who mourn today and with the loved ones of the victims of Newtown who remain in mourning. May we pray for the safety of those who are most precious and sacred to us, and may we remain undeterred in the face of such evil.

TRIBUTES TO DEPARTING SENATORS

Mr. CASEY. Mr. President, before this Congress ends, I wanted to pay tribute to several of my colleagues who will not be here when we convene next year. Some chose not to run again, and others unfortunately lost their reelection campaigns, but we will miss them all next year. I begin in order of seniority.

TIM JOHNSON

Mr. President, I wish to begin with Senator TIM JOHNSON. After several years of service in South Dakota, where he received the Outstanding Citizen Award and the Billie Sutton Award for Legislative Achievement, TIM was elected to the House of Representatives in 1986. He served there for 10 years, earning many distinctions, among them, one for passing more legislation than the other 50 first-term Members. In 1996 he was elected to the Senate, where he has served three terms. In recent years Senator JOHNSON has served as chairman of the banking committee, of which he has been a member since 1997. Over the years he has advocated for community banks in South Dakota, worked to pass the Safe and Fair Deposit Insurance Act of 2005, which updated the Federal deposit insurance system, and pushed to deal with the special needs of consumers in rural areas. TIM has also shown immense courage in dealing with health issues and has been an exemplary public servant. We will miss him next year and wish him and Barbara well.

MARY LANDRIEU

Mr. President, Senator MARY LANDRIEU started a career of public service in the Louisiana State Legislature and then as State treasurer. She was elected to the U.S. Senate in 1996 becoming her State's first female Senator. Senator LANDRIEU has always fought for her State, a fact never more apparent than in the aftermath of Hurricanes

Katrina and Rita when she fought valiantly for disaster funding and reforms that helped countless people in Louisiana. MARY has also been a champion for our children, and I have seen her commitment as we worked together on adoption and foster care issues over the years. We will miss MARY's spirit, but we know she will never stop fighting for what she believes in. I wish MARY and Frank well in this new chapter of their lives.

MARK PRYOR

Mr. President, Senator MARK PRYOR comes from a family with a history of public service. MARK served as Arkansas attorney general before being elected to the Senate in 2002, occupying the same Senate seat his father David held. As a member of the Agriculture Committee, MARK fought hard to protect the interests of Arkansas' farmers, and through his position on the Homeland Security and Government Affairs Committee he pushed for regulatory reform, all the while asking how each decision he made would impact people back in Arkansas. Through his work, MARK embodied what it meant to be a public servant.

MARK UDALL

Mr. President, Senator MARK UDALL's family has served the United States for decades. His cousin TOM has served beside him in the Senate for the past 6 years. His father Morris ''Mo'' Udall was a Member of the U.S. House of Representatives for 30 years and also ran for President. His uncle Stewart served as Interior Secretary under Presidents John F. Kennedy and Lyndon B. Johnson in the 1960s. Before being elected to the Senate in 2008, MARK served in the U.S. House of Representatives and the Colorado State Legislature. Through his position on the Energy and Natural Resources Committee, MARK has continued his family's commitment to our public lands and resources, chairing the National Parks Subcommittee. Senator UDALL has also worked hard to help the U.S. Government get its fiscal house in order, pushing his colleagues to make tough choices today to help create a better tomorrow. As a member of the Armed Services and Select Intelligence Committees, MARK has advocated for more transparent detention and drone policies and pushed to make public the ''Committee Study of the Central Intelligence Agency's Detention and Interrogation Program.''

KAY HAGAN

Mr. President, Senator KAY HAGAN spent 10 years serving in the North Carolina State senate before being elected to the U.S. Senate in 2008. I have had the pleasure of sitting next to KAY on the Health, Education, Labor and Pensions Committee and working with her on issues such as medication therapy management to help ensure our seniors are taking the prescription drugs that help keep them healthy and the Newborn Screening Saves Lives Reauthorization Act that provides funding for the screening of newborn babies for heritable disorders, allowing them the earliest possible access to treatments. Through her position on the Small Business and Entrepreneurship Committee, Senator HAGAN has pushed to protect and grow North Carolina jobs. On the Armed Services Committee, she has fought for North Carolina's military families. I wish KAY and Chip well in the years ahead.

MARK BEGICH

Mr. President, Senator MARK BEGICH arrived in the Senate in 2008, having previously served as mayor of Anchorage. MARK worked hard and accomplished a lot in his 6 years here, but what I will always remember is MARK's commitment to our veterans. Alaska has more, veterans per capita than any other state in our Nation, and through his position on the Veterans' Affairs Committee, Senator BEGICH has been their champion. I thank MARK for his public service and his commitment, and I wish him and Deborah well.

JAY ROCKEFELLER

Mrs. SHAHEEN. Mr. President, I wish to pay tribute to my friend and colleague, Senator JOHN D. ROCKEFELLER IV, who will soon retire from the Senate after representing his beloved West Virginia for the last 30 years.

Senator ROCKEFELLER and I both came to Washington after having previously served as Governors of our home States, and I have been grateful for his friendship and counsel. I would also note that Senator ROCKEFELLER has some familiarity with New Hampshire, having graduated from Phillips Exeter Academy.

Senator ROCKEFELLER will forever be remembered in the Senate for his dedication to the hard-working people of West Virginia. When West Virginia coal mining companies threatened to abandon their pension obligations to miners, Senator ROCKEFELLER successfully fought to pass the Coal Act of 1992 to safeguard their retirements. Among his numerous other legislative accomplishments, Senator ROCKEFELLER will certainly be remembered as the father of the Children's Health Insurance Program. Since its creation in 1997, CHIP has provided millions of low-income children and pregnant women access to health insurance. Just last year, CHIP touched the lives of more than 8 million Americans.

During his lengthy career Senator ROCKEFELLER chaired the Senate Committees on Veterans' Affairs, Intelligence, and most recently Commerce, Science, and Transportation. As a chairman, Senator ROCKEFELLER believed strongly that good policy started with listening and ran his committees in a way that allowed all Senators, no matter their party, a voice and a role in the legislative process.

The example set by Senator ROCKEFELLER is an inspiration to all of us who serve in the Senate. On behalf of the people of New Hampshire, I thank him for his years of dedicated service to our country and wish him the best in his well-deserved retirement.

CARL LEVIN

Mr. President, I wish to honor Senator CARL LEVIN as he prepares to retire after 36 years of dedicated service in the Senate.

As the longest serving Senator in Michigan's history, Senator LEVIN has been a stalwart advocate for the people of his State. In the aftermath of the 2008 financial crisis, Senator LEVIN played a critical role in drafting the American Recovery and Reinvestment Act to ensure it would bolster the Midwestern manufacturers that would prove integral to our national economic recovery. As cochair of the Great Lakes Task Force, Senator LEVIN has worked throughout his career to protect the vast waterways that are critical to Michigan's economy and those of the other Great Lakes States.

I have had the honor of serving on the Senate Armed Services Committee under the leadership of Chairman LEVIN, and his concern for the people of Michigan is perhaps only matched by his concern for the soldiers, sailors, marines, and airman who defend our Nation, as well as the families who support them. Under his steady leadership the Senate has kept faith with our military by passing the annual National Defense Authorization Act, and this year's defense bill bears Senator LEVIN's name as tribute to his lengthy service on the Committee. As chair of the Armed Services Subcommittee on Readiness and Management Support, I have always appreciated Senator LEVIN's commitment to a strong bipartisan spirit in the work of the committee, and I know it will endure thanks to his example.

A sharp legal mind, Senator LEVIN also worked in a bipartisan fashion as chairman of the Senate Permanent Subcommittee on Investigations to hold powerful public and private institutions accountable. Born from the highly successful Truman Committee formed in the lead-up to World War II, Senator LEVIN's subcommittee investigated critical issues such as the 2008 financial crisis, systemic credit card fraud, as well as corporate abuse of offshore tax havens—bringing light to complex and obscure issues to the benefit of the American people.

Senator LEVIN has been a source of reasoned counsel for many in the Senate, and I know his presence will be missed. However, I also know he is looking forward to spending some well-earned time back in Michigan with his children, grandchildren, and wife Barbara.

TOM HARKIN

Mr. President, I wish to recognize Senator TOM HARKIN and his 30 years of Senate service.

When Senator HARKIN retires at the end of this year, he will also step down from his chairmanship of the Senate Committee on Health, Employment, Labor, and Pensions, a post from which he has advocated progressive policies

aimed at increasing opportunity for all Americans.

One of Senator HARKIN's greatest legislative achievements is the Americans with Disabilities Act, legislation that he fought for on behalf of millions of disabled Americans. The ADA is truly a landmark law in this country, and Senator HARKIN's decades of work on this issue will never be forgotten.

Senator HARKIN also has a strong legacy as a champion for human rights, which began even before his election to public office while he was still a staffer on Capitol Hill. Invited to travel with a congressional delegation to Vietnam in the summer of 1970, Senator HARKIN arranged for the group to visit the Con Son prison in order to investigate allegations of human rights abuses by the South Vietnamese Government. At the prison, the delegation strayed from the official tour and found abused prisoners held in so-called ''tiger cages,'' which Senator HARKIN documented extensively with a camera. In defiance of some of the delegation members, Senator HARKIN courageously handed over the pictures to Life magazine in order to better educate the American public about U.S involvement in Vietnam.

I have been fortunate to witness firsthand Senator HARKIN's passion for U.S. leadership in human rights during our service together on the Senate Appropriations Committee, where he has brought heightened attention to the scourge of child labor and exploitation. I know this is one particular issue on which Senator HARKIN feels his work has just begun, and I look forward to hearing of his continued efforts on behalf of vulnerable children around the world.

On a more personal note, I will miss competing with Senator HARKIN's office for the most staff participants in the Everybody Wins! DC reading mentorship program, a great cause in which Senator HARKIN has been involved in for the last 16 years.

I join my colleagues in thanking Senator HARKIN for his dedicated service in the Senate and wish him all the best in retirement.

KAY HAGAN

Mr. President, Senator HAGAN and I came to the Senate 6 years ago with a shared commitment to bipartisan problem solving reflective of the independent spirit of the States we represent. I am glad to say that in Senator HAGAN I found not only a strong partner in policymaking but also a good friend.

Born in Shelby, NC, Senator HAGAN got her start in politics, as many of us do, at the State level. During 10 years in the North Carolina Senate, she built a reputation as a committed public servant, and that reputation would eventually propel her to the United States Senate.

In Washington, Senator HAGAN has used her position on the Senate Armed Services Committee to support the military families stationed at Fort Bragg, Camp Lejune, and other military installations in North Carolina. Thanks to her efforts, Congress passed legislation in 2012 to provide health care and compensation to military families impacted by water contamination at Camp Lejune. Also a member of the small business committee, Senator HAGAN's private sector experience has been a tremendous asset to the legislative work of the committee.

I would like to wish the very best to Senator HAGAN, who I know is looking forward to the opportunity to spend more time with her family, especially her grandchildren.

MARK UDALL

Mr. President, I wish to take a moment to thank my friend and colleague Senator MARK UDALL for his dedicated service to the people of Colorado and our Nation.

As many of my colleagues are aware, long before Senator UDALL was climbing the steps to Capitol Hill he was hiking the mountains of Colorado as a course director and educator with Outward Bound, an organization he would eventually lead as executive director. However, as a member of the Udall family, headed by his father Congressman Morris ''Mo'' Udall, who served in the House of Representatives for 30 years, elected office was never far from Senator UDALL's mind. After 20 years with Outward Bound, Senator UDALL left to pursue a career in public service.

After serving a term in the Colorado State Legislature, Senator UDALL ran successfully to represent Colorado's Second Congressional District in the House of Representatives, a seat he held for five consecutive terms. When we arrived at the Senate in 2008, Senator UDALL and I found common cause in our work on both the Senate Armed Services Committee and the Senate Committee on Energy and Natural Resources. Senator UDALL's commitment to working across the aisle to confront the difficult issues facing our Nation was appreciated by many in the Senate, and I know his presence will be missed.

I wish the very best to Senator UDALL and thank him for his service.

MARY LANDRIEU

Mr. President, my friend from Louisiana Senator MARY LANDRIEU has devoted her entire life to public service, and today I wish to recognize the extraordinary leadership and energy that she has brought to the Senate throughout her career.

Senator LANDRIEU has been a leader on so many issues, none more so than as a passionate advocate for children around the world. I was proud to work with her on legislation to address the decline in international adoptions, in addition to several other bills that Senator LANDRIEU has authored to support children both in the United States and in developing nations. This issue is particularly near to Senator LANDRIEU's heart, and I know I am speaking for countless children around the world when I thank her for her efforts to ensure all children experience the benefits of a safe and loving family.

I also had the pleasure of working with Senator LANDRIEU during her leadership of the Senate Small Business Committee, as well as on the Senate Energy and Natural Resources Committee.

Senator LANDRIEU has always fought hard for her home State of Louisiana, and her dedication to her constituents was made clear in the aftermath of Hurricane Katrina. All Americans vividly recall the scenes of destruction caused by the storm—more than 1,800 killed and $100 billion in property destroyed in just days. Those who were fortunate to escape the storm physically unscathed were more than likely left homeless, and over 80% of Senator LANDRIEU's hometown of New Orleans was under water for weeks after Katrina made landfall.

After the storm Senator LANDRIEU immediately set to work building support for legislation to jump start the gulf coast recovery and help her constituents put their lives back together. Senator LANDRIEU nearly singlehandedly pushed through critical funding and reforms to help Louisiana rebuild.

It has been an honor working with her, and I thank her for her years of service to the Senate and the Nation.

MARK BEGICH

Mr. President, today I wish to recognize my fellow Senator from the class of 2008, Senator MARK BEGICH of Alaska.

Senator BEGICH's career in public service began earlier than most at the young age of 19, when he was hired by the Anchorage city health department. By that time, Senator BEGICH was also well on his way to establishing himself as an enterprising businessman and entrepreneur. Born and raised in Anchorage, AK, MARK BEGICH would go on to serve in the Anchorage Assembly where he was the youngest member ever elected, before successfully running for the post of mayor in 2003, a role in which he served until his election to the Senate.

Here in Washington Senator BEGICH has used his position as chair of the commerce Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, as well as his extensive knowledge of the Alaska economy, to advocate for Alaska-first policies. As a Senator from a State with one of the highest populations of veterans per capita, Senator BEGICH has also been a passionate defender of our Nation's military. I also have had the pleasure of serving with Senator BEGICH on the Senate Appropriations Committee and have greatly appreciated his contributions.

I would like to thank Senator BEGICH for his years of dedicated service both to Alaska and the Nation.

MARK PRYOR

Mr. President, Senator MARK PRYOR of Arkansas has served the people of Arkansas in the Senate for the last 12 years, guided by his strong faith and

determination to bridge the partisan divide.

As a member of the Appropriations Committee, Senator PRYOR has successfully directed Federal assistance to his Arkansas constituents, helping to strengthen his State's economy. As a member of the commerce committee, he prioritized bringing broadband Internet service to the rural parts of Arkansas. When Senator PRYOR served on the Senate Armed Services Committee, he successfully introduced and passed legislation to provide tax relief for our servicemembers deployed in combat zones, as well as legislation to more quickly inform military families when their loved ones are injured in combat.

Senator PRYOR has time and again proved his dedication to the State where he was born and raised, and I wish to thank him for his service in the Senate.

MIKE JOHANNS

Mr. President, over three decades as a public servant, my friend and colleague Senator MIKE JOHANNS of Nebraska has proven time and time again that politicians can be deeply principled while still recognizing the need to find common ground on the complex and difficult choices we must make as a nation. I believe this is a lesson that all former Governors carry with them after holding executive office, and Senator JOHANNS and I were often able to reach an understanding on that basis.

Before coming to the Senate in 2009, MIKE JOHANNS had already built a distinguished record of public service as a county board member, city council member, mayor and two term Governor of Nebraska. Senator JOHANNS also served for 3 years in the White House Cabinet as Secretary of Agriculture to President George W. Bush. While leading the Department of Agriculture, Senator JOHANNS helped U.S. agriculture producers find new markets overseas, promoted expanded use of renewable fuels, and encouraged conservation of agricultural lands. Having played a key role in developing the farm bill passed by Congress in 2008, then-Secretary Johanns decided to return to legislating full time and successfully ran to represent Nebraska in the Senate.

Senator JOHANNS' time in Congress is best characterized by his low-key approach to the most high-profile and consequential issues of the day. He was one of the bipartisan Gang of 8 Senators who tackled the challenge of crafting a comprehensive Federal deficit reduction plan in 2011, and in 2013 we worked together on a bipartisan deal to reopen the Federal Government and avoid a default on our national debt. I was also very proud to work with Senator JOHANNS on legislation to address the unacceptable trends in military sexual assault. Senator JOHANNS always brought the work ethic he developed growing up on a Nebraska farm to our business in the Senate, and for that and many other reasons I very much enjoyed working with him.

Senator JOHANNS has given many years to public service, earning him the right to seek a bit of a break from the spotlight, and I wish him all the best in his retirement.

CARL LEVIN

Ms. HIRONO. Mr. President, I take this opportunity to pay tribute to Senator LEVIN as his distinguished Senate career comes to a close at the end of the 113th Congress. Senator LEVIN has proudly represented the people of Michigan in the Senate for 36 years.

The desire to help others has been in Senator LEVIN's makeup long before coming to Washington. In fact, one might say it is in his DNA. He comes from a family with a distinguished record of public service. I served with his brother Sander in the House of Representatives, another truly distinguished Member of Congress. Their father served on the Michigan Corrections Commission. His uncle served as a chief judge on the U.S. District Court for the Eastern District of Michigan, and his cousin was a Michigan Supreme Court Judge.

Given this public service pedigree, it is no surprise that he got started in politics at an early age. He was elected class President at Detroit's Central High School. After Swarthmore College and Harvard Law School, he served as an assistant attorney general and general counsel of the Michigan Civil Rights Commission. In 1969 he was elected to the Detroit City Council and in 1978 joined the Senate.

Senator LEVIN has served on the Armed Services Committee for as long as he has been in the Senate. His Armed Services Committee tenure has provided him the opportunity to work with 11 Secretaries of Defense, helping to ensure that our Armed Forces were ready and able to meet the national security challenges facing our Nation. He has long been a champion of the men and women of our military and their families. From visiting deployed troops far from home, to ensuring much needed training, equipment, and pay increases, and improving the delivery of benefits and services they have earned, CARL LEVIN has been there for our troops.

Senator LEVIN is also a problemsolver. In order to improve the way the Pentagon buys its weapons and to get the most out of the taxpayer dollars the government is entrusted to spend, he has worked hard to improve acquisition practices throughout his career. In this arena, he led the way in passing the Competition in Contracting Act and the Weapons System Acquisition Reform Act.

I was fortunate to serve on the Armed Services Committee during my first 2 years in the Senate. I have been able to observe Chairman LEVIN firsthand as he led the committee with a steady hand in a very bipartisan manner. I have been proud to be part of two National Defense Authorization Acts—including the one this body passed last week, which bears his name—which preserve our readiness and provides for the well-being of our men and women of the armed services and their families.

Senator LEVIN also chairs the Permanent Subcommittee on Investigations, where he has led investigations in many critical areas, including the 2008 financial crisis, energy and food market speculation, abusive offshore tax havens, and unfair practices within the credit card industry. His investigations have led to many reforms and laws to fix these problems. In 2012, the National Journal wrote that ''the Permanent Subcommittee on Investigations is one of the few institutions in Congress that's still working. CARL LEVIN is a big reason why.''

The Senate is losing one of its giants—a voice of reason, integrity, and fairness. Michigan's working families are losing a lifelong advocate for their best interests who has really made a difference. CARL, thank you for your service to our country. I wish you, Barbara, and your entire family all the best as you move to the next chapter of your journey.

Aloha CARL, a hui hou, ''until we meet again.''

TOM HARKIN

Mr. President, I wish to recognize the accomplishments of the distinguished Senator from Iowa, TOM HARKIN, who is retiring this year.

Senator HARKIN has served in the House and Senate for nearly 40 years. During those 40 years he has been a consistent and inspirational voice for the idea that America should be a place where everyone can succeed.

TOM's life experiences shaped who he fought for and why. His mother died when he was 10. His father never got beyond the sixth grade and suffered from black lung disease. He grew up in a tiny town in Iowa. He saw what the New Deal, Social Security, and Medicare did for his family and he saw government as a force that could lift people up and give them hope.

Last week, during his farewell remarks to this body, he said something that the progressives among us should take to heart. He said:

> '' . . . I believe government must not be just an observant bystander to life. It must be a force for good, for lifting people up, for giving hope to the hopeless.''

Under TOM HARKIN's watch, government certainly has not been a bystander.

One of his proudest accomplishments was gaining passage of the Americans with Disabilities Act of 1990. TOM stood with people with disabilities, one of the largest minorities in the United States, to enact historic legislation that changed the lives of millions of people. I was proud to cosponsor and support the 2008 Americans with Disabilities Amendments Act, which passed with overwhelming bipartisan support. His commitment to creating and expanding

opportunities for those with disabilities is a hallmark of his career.

Senator HARKIN will also be remembered for his tireless leadership as the chairman of the Senate Health, Education, Labor, and Pensions Committee. As chairman he worked to promote health care and education, fairness for workers, equal rights, and, above all, the American dream. He worked to fund those priorities for years on the Appropriations Committee.

These are some of TOM's signature issues. But equally important has been his work fighting injustice and human rights violations across the globe.

As a young Congressional staffer he travelled to Vietnam and uncovered torture on Con San Island, off of Vietnam. There people were being held in ''tiger cages''—5 foot by 9 foot cells dug into the ground where three to five people were held captive.

While he lost his staff job over the pictures he took, he shed light on atrocities that too many others had either ignored or covered up.

TOM's values and the results he has been able to achieve have made him a powerful moral and progressive voice for decades. Some of us were drawn to TOM during his Presidential run in 1992. I was. As a Hawaii State legislator, I supported the Senator from Iowa long before I ever had the privilege of serving with him in the Senate. In fact, when his bid for the presidency ended, some of us continued to support him, making buttons with a slogan I coined: ''HARKIN for the Heck of It!''

TOM HARKIN has done much to help build the ladders of opportunity that he so firmly believes is a big part of what government should do. His work inspires us to continue pushing to see that every individual in our country has an opportunity to improve his or her life for the better.

Last week in his farewell remarks, TOM noted that while he is retiring from the Senate, he is not retiring from ''the fight.'' He also gave those of us who are still here a list of unfinished business to continue the fight.

First, we have to do more to address income inequality and restack the deck so that working people have confidence that their government works on their behalf. Second, we have to work on addressing climate change. Third, we have to do more to give employment opportunities to the disabled, and finally, we have to pass the U.N. Convention on the Rights of Persons with Disabilities.

These are all big fights. But it speaks to TOM's passion for public service and improving access to opportunity that in his farewell remarks, he would give us a list of unfinished business.

I will miss him in the Senate. I am confident that TOM HARKIN will be a prominent voice in American society for years to come.

Aloha TOM, a hui hou, or ''until we meet again.''

JAY ROCKEFELLER

Mr. President, I also wish to pay tribute to a man who has dedicated nearly 50 years to public service. That is our retiring colleague Senator JAY ROCKEFELLER of West Virginia.

JAY ROCKEFELLER's lifetime of service was shaped by his experience as a VISTA worker in a rural coal town in West Virginia. JAY told me that this experience was life changing, coming as he did from a very privileged background. Working day-to-day in that community, learning the hopes and fears and anxieties of the people, and seeing their struggles led to his lifelong commitment to improving the lot of working people everywhere.

In his farewell remarks to the Senate, Senator ROCKEFELLER said that the Senate must be a ''place in which we embrace the commitment to be deliberative, passionate, and unrelenting.''

Senator ROCKEFELLER embodied these qualities while serving the people of West Virginia. He has been a deliberative, passionate, and unrelenting champion, especially for those whose circumstances in life are the hardest.

His work on health care has impacted Americans in every corner of the United States, from the mountains of West Virginia, to my State of Hawaii. He was instrumental in the efforts to establish the Children's Health Insurance Program, or CHIP, which provides care to more than 8 million children across the Nation. More than 30,000 of those children who currently receive coverage for necessary primary and preventive health care are those children in my State of Hawaii.

From his Medicare Drug Savings Act to his Rebuilding America's Schools Act, JAY ROCKEFELLER has truly been a champion for those who needed a hand up in life.

We are all aware of JAY's efforts to enhance our national security while also holding our Nation to the highest standards possible as a chairman and member of the Senate Intelligence Committee. His commitment to keeping America safe is met only by his commitment to ensure that our Nation's veterans get the care and benefits that they have earned and deserve. I have been privileged to serve with JAY on the Senate Veterans' Affairs Committee.

Senator ROCKEFELLER reminds us that to those upon whom fortune has smiled, there is no greater calling than to dedicate ourselves to fight hard for those struggling, for those hard working, and for those who put us here.

As Senators I hope that we heed JAY's words and in the coming Congress we work together on a bipartisan basis to collaborate and compromise on behalf of America's workers and families.

On a personal note, JAY and I had one of the best conversations recently on the Senate floor where we discovered that we were two pretty private people, some would even describe as introverts, who picked a most public of arenas, politics, to do our life's work of making a difference in the lives of those we are privileged to represent.

Thank you for your service, Senator ROCKEFELLER. It has been an honor being your colleague and serving with you.

Aloha JAY, a hui hou, or ''until we meet again.''

TIM JOHNSON

Mr. President, I wish to recognize the contributions of Senator TIM JOHNSON of South Dakota, who is retiring at the end of this year.

Senator JOHNSON has served South Dakota in the House and the Senate for nearly 28 years. He was elected to the House in 1986 and was elected to the Senate in 1996. During those 28 years, Senator JOHNSON has been an advocate for bipartisanship to get results in Congress. In fact, bipartisanship could be considered one of the campaign platforms that first got him elected to Congress. As he related in his farewell remarks on this floor last week, when he first ran for the House of Representatives, he told the people of South Dakota that neither party had all the answers, that both parties had good ideas, and that both parties had men and women of good will.

''My job, as I understood it, would be to work in a bipartisan manner, listening to all parties and reaching a good fit—also known as compromise.''

Twenty-eight years later, it is clear that he not only understood his job well then, but his efforts to compromise have paid big dividends for South Dakota. Over the years he has worked on a number of issues, from the farm bill, to highway funding, to flood relief and to protect South Dakota's Ellsworth Air Force Base.

No one Senator can deliver results on their own, but by working across the aisle, TIM has not only done well for his constituents but has gained a good reputation here in the Senate. He has served in leadership positions on the Senate banking committee, which he currently chairs, as well as the Senate Appropriations, Energy and Natural Resources, and Indian Affairs Committees. On each of these committees, Senator JOHNSON has championed issues that are important to the people of his State but has always done so with an eye toward fairness—listening to all parties, promoting compromise, and doing what is right for working people across the country.

For these reasons, Senator JOHNSON is well-respected and has earned the good will of the Senate. When he was faced with the challenge of a lifetime—a brain hemorrhage in 2006—he was supported by a Senate community that set aside partisanship and political calculations. Everyone wanted to see him recover. When he returned to the Senate after months of recovery, he was welcomed by the whole community. TIM continues to be a profile in courage.

His legacy is one of compromise and collaboration—two attributes that are

critical to the functioning of this body and two attributes which we would do well to remember.

We will all miss Senator JOHNSON in the Senate. Aloha to him, his wife Barbara, his three children, and his six grandchildren, and a hui hou, ''until we meet again.''

MARK UDALL

Mr. President, I would like to say a few words about my colleague, Senator MARK UDALL of Colorado, who will be ending his 6-year tenure in the Senate at the end of this Congress.

Senator UDALL has served in public office for 18 years, serving in the Colorado House of Representatives for 2 years before being elected to the U.S. House of Representatives, where he served for 10 years. He was elected in 2008 to the Senate.

For MARK, public service is a family affair. His father, Arizona Representative Mo Udall, served in Congress for 30 years. His father ran for the U.S. Presidency. His uncle, Stewart Udall, served as President Kennedy's Secretary of the Interior. And his cousin, TOM UDALL, serves as one of New Mexico's U.S. Senators.

This legacy, coupled with MARK's love of the outdoors, give him a unique perspective on public service. Before running for office, MARK worked as an educator and executive director of the Colorado Outward Bound School. As an avid mountaineer and educator, MARK understands the value of America's open spaces, smart policies for conservation and economic growth, and finding practical solutions to our shared challenges.

MARK UDALL is a champion for the environment. His efforts to support progressive renewable energy policies as a State legislator and Member of Congress have helped Colorado become a frontrunner in clean, sustainable energy to prepare for a more sustainable future. He has also fought hard to expand the National Park Service, saying the Earth is borrowed from our children, not inherited from our parents, and that we must work to preserve these public lands to ensure their existence for future generations.

I have had the privilege of serving with MARK in the House and on the Senate Armed Services Committee to support the men and women who defend our country. We have worked together to focus on making our military more energy efficient and less reliant on fossil fuels.

MARK has climbed some of the most daunting peaks in the world. The kind of self-reliance and focus required to meet those kinds of challenges mark his work in public service. His decency and integrity in fighting for the middle class, for our environment, for transparency in government, inspire us to continue his work.

It has been a privilege to serve with MARK.

Aloha MARK and Maggie and a hui hou, ''until we meet again.''

KAY HAGAN

Mr. President, I thank my colleague KAY HAGAN for her service in the Senate. KAY has spent every day of her 6 years fighting for North Carolina's families.

KAY's father, brother, husband, and father-in-law are all veterans. She has two nephews on Active Duty. Their experiences—and the stories of thousands of North Carolina servicemembers and veterans—have helped guide KAY's work on the Senate Armed Services Committee, SASC, where I have been privileged to serve with her.

As a member of SASC, I have seen firsthand KAY's deep knowledge and commitment to our servicemembers, veterans, and military families—in North Carolina and around the country. North Carolina, like Hawaii, has a large number of servicemembers and veterans, and KAY has worked to make sure our troops get the support they need while they are in harm's way and when they get home.

Making sure veterans get the benefits they have earned and are treated with respect is another area where KAY has been a strong leader. She has worked to make sure veterans are able to transition to civilian life and prepare for college and career. Whether that means protecting veterans from scams or making sure colleges are serving veterans effectively, KAY has their back.

KAY also is a strong advocate for children and families. She has worked on reauthorizing newborn screening legislation to make sure illnesses are detected and treated early. Just last week she got her bipartisan newborn screening bill across the finish line, and it will soon head to President Obama's desk.

On education, KAY has worked on financial literacy in middle school and high school and turning around the highest-need K–12 schools. She has fought for minority-serving institutions and making sure job-training and college help adults earn an associate's degree or industry credential as soon as possible.

As I was running for the Senate, I got a chance to get to know KAY, and upon my election, she was very helpful in showing me the ropes as a new Senator. The 20 Senate women have regular bipartisan dinners where we leave politics at the door, get to know each other, and relax. KAY is well known for her tireless work on behalf of her constituents, her graciousness as a host of Super Bowl parties, and her indefatigable positive attitude that rubs off on the rest of us.

I and the Senate sisterhood will miss KAY. However, I expect that she will continue the spirited advocacy on behalf of the people of North Carolina whatever she next undertakes.

Aloha KAY and a hui hou, ''until we meet again.''

MARK BEGICH

Mr. President, I recognize the accomplishments of Senator MARK BEGICH, our colleague from the State of Alaska. These last 2 years, I have had the privilege to work with Senator BEGICH on a range of issues—from Native Adult Education and Health Care to fishing rights—and I consider him a good friend. Senator BEGICH is not only someone who is easy to work with as a reasonable, open-minded legislator, but is also someone who truly cares about the people of his State and embodies the values of the Senate.

In his farewell remarks last week, Senator BEGICH commented on the relative size of his State, which, at 660,000 square miles, is more than twice and three times as large as other large States such as Texas and California geographically.

That is 164 times larger than my home State of Hawaii. It also gets a lot colder. Despite the differences between our States, as the two non-contiguous U.S. States, Hawaii and Alaska have always had a special bond.

That bond was forged by Senators Inouye and Stevens—two of the Senate's giants. Those two men, who were from different parties and very different States, looked out for one another. They did a lot of good for our States, and all who come after them have sought to emulate their example of working together and looking out for each other.

MARK did that for me even before I was sworn in to the U.S. Senate. As many of my colleagues may know, Senator Inouye passed away just weeks before I was to be sworn in. At the time I would been assigned to the Energy, Judiciary, and Veterans' Affairs Committees. However, with Senator Inouye's passing—and I have to thank our leadership here as well—I asked for a seat on the Senate Armed Services Committee, an appointment critical to Hawaii, where military activity is a vital part of our economy.

MARK BEGICH gave his seat up on the committee to open a slot for me. Not to shortchange Alaska, MARK got a seat on Appropriations. But I will never forget that he recognized how important the military was to Hawaii and how he agreed to help me out.

Not only was MARK reinforcing the long-lasting Hawaii-Alaska bond, but it was also characteristic of MARK's desire to help-something that his constituents know all too well.

As Senator BEGICH mentioned in his farewell remarks, ''Alaska is a very small place in many ways. People make personal connections with their elected officials.''

Whether it is answering constituent letters, or helping people navigate the Federal bureaucracy, Senator BEGICH has been there for Alaskans. He has also taken their concerns and made sure that everyone in Washington knows about them—whether it is the situation in the Arctic, fishing, energy development, or the challenges of Alaska Natives. There is not a Member of this body who has not heard Senator BEGICH talk about Alaska's unique challenges.

As he also mentioned, most people in his State pretty much know each other.

In a State like Alaska—much like Hawaii—you can't ''go Washington.'' You have got to stay grounded in the day-to-day concerns of the unique local communities back home. Sometimes this can be tough, but MARK has always

kept Alaskans first and foremost in all of his work in the Senate.

I have had the privilege of serving with MARK on the Senate Veterans' Affairs Committee, and have seen firsthand how hard he has worked on behalf of Alaska's veterans. He has been tenacious in working to see that Alaska's veterans and Natives have access to health care—and creatively, worked to see that veterans can access the tribal health care delivery system. As he has put it, if the clinics are there for some, why not have them be available to all?

This is the kind of commonsense solution that is a hallmark of his time in the Senate.

I will miss his good humor and his hard work. It is been a pleasure serving with MARK and I wish him and his family all the best in their next chapter.

Aloha MARK and a hui hou, ''until we meet again.''

JOHN WALSH

Mr. President, I rise to pay tribute to our colleague, Senator JOHN WALSH of Montana. While his Senate career is shorter than any of us would have hoped, the institution is better for his service and he will be missed.

His road to this body is different than most anyone else. He grew up in Butte, MT, close enough to a copper mine that his house would shake when the dynamite went off. His dreams were modest—get an education, find a job, and do some fishing.

But life often takes unexpected turns. He enrolled in the Montana National Guard in order to pursue those modest dreams, and found a home in the Guard. He rose to serve as Adjutant General of the Montana National Guard. In this capacity he commanded troops in Iraq in 2004 and 2005. He earned the Bronze Star, Legion of Merit Award, and Combat Infantry Badge for his efforts leading over 700 young men and women. This military experience is one that he carries with him in ways that most of us will never know.

After retiring from the National Guard in 2012 he served as Montana's Lieutenant Governor, and currently, as a Senator. He is the first Iraq war combat veteran to serve in the Senate.

His experience growing up in a working-class family, serving in the military, and as a public servant in elected office have made him a valuable Member of this body.

His advocacy for Montana, and for our servicemembers and veterans, and his perspective on national security matters—particularly reigning in the National Security Agency—have been valuable to our caucus. I know that he will carry these priorities forward in whatever endeavor he pursues next.

I am proud to have to served as his colleague in the Senate. Aloha JOHN, and a hui hou, ''until we meet again,'' to you, your wife Janet, and your family.

• Mrs. BOXER. Mr. President, I wish to celebrate and thank the 13 outgoing Senators who have worked tirelessly to represent their home States in the Senate: Senator MARK BEGICH, Senator SAXBY CHAMBLISS, Senator TOM COBURN, Senator KAY HAGAN, Senator TOM HARKIN, Senator MIKE JOHANNS, Senator TIM JOHNSON, Senator MARY LANDRIEU, Senator CARL LEVIN, Senator MARK PRYOR, Senator JAY ROCKEFELLER, Senator MARK UDALL, and Senator JOHN WALSH.

I have worked side by side with these men and women for years—some for decades—and witnessed firsthand their extraordinary commitment to public service and the people they so proudly represent.

Even when we didn't see eye to eye on every issue, I always deeply respected and admired their service to our Nation and their dedication to fight for what they believe in.

It has been a privilege to serve alongside each and every one of these extraordinary colleagues. I will miss their leadership and their friendship, and I wish them all the best as they embark on the next chapter.•

TRIBUTE TO HAROON KHAN

Mr. JOHNSON of South Dakota. Mr. President, I wish to recognize and to extend my thanks and appreciation to Haroon Azam Khan.

For almost two decades, I have been truly fortunate to have had Haroon on my side.

Haroon's personal story is uniquely American. While his parents Mohammad Azam and Anjum Khan immigrated to the United States in the 1960's, the first members of Haroon's family arrived in the United States in 1906 and settled in Willows, CA.

Haroon's interest in government started early, first as an intern in the district office of my friend and former colleague Congressman Bob Matsui and then as an intern in The White House.

After graduating from the University of California at Berkeley, Haroon joined my first Senate campaign and then worked with me as my finance and political director on each of my reelection efforts. He also worked with my colleagues Senator DIANNE FEINSTEIN and Senator Chris Dodd in the same capacity.

Eventually, after working in the private sector, I invited Haroon to work for me as deputy staff director of the Senate Committee on Banking, Housing and Urban Affairs.

It has been a pleasure to watch Haroon grow both personally and professionally, and it is with sincere gratitude that I would like to thank Haroon for his years of dedicated friendship, counsel and support.

TRIBUTE TO CHIP ROY

Mr. CRUZ. Mr. President, I rise today to recognize a fearless leader, and one I am blessed to call a friend. Chip Roy. Chip reluctantly agreed to travel from Texas to Washington—frequently leaving his beautiful wife Carrah and his two precious children, Charlie and Virginia—to help build and lead one of the most talented and principled conservative teams on Capitol Hill, and to Make D.C. Listen. He did. He will continue to lead in Texas, now just from a different front.

My good friends in Texas, especially newly elected Attorney General Paxton and Governor Abbott, are fortunate to have such a principled fighter for liberty assuming the role as First Assistant to the Attorney General. I look forward to many opportunities to continue working side-by-side to champion the rights of Texans, and all Americans.

Chip is a man of conviction. His passion is matched only by his unceasing faith. I am confident he will continue to shine a light on the truth and to serve the Great State of Texas and this Nation with the utmost dedication to the Constitution and to the Lord Almighty.

I will always be grateful for the many days—and nights—Chip dedicated to critical fights here in the Senate, from protecting citizens' Second Amendment rights, to securing our borders, to leading a national debate on the harms of Obamacare. Chip knows DC well, but he knows the American people better, and his courage to help change the way Washington does business to put our fellow Texans and Americans first is a rare gift that will continue to live on.

This is simply the beginning, as we both continue to battle to protect our God-given rights, to secure a future filled with opportunity for our beloved children, and to keep America the land of the free. May we continue to make Texas a beacon of liberty.

Chip, thank you for your tireless service, especially in the wake of your courageous battle against cancer. Thank you for your uncompromising principles. Thank you for your continued friendship. For, as Proverbs 27:17 says, ''As iron sharpens iron, so a man sharpens the countenance of his friend.'' Your leadership has, and will continue to, make all who are privileged to know you stronger. May God continue to bless you, and the Great State of Texas.

ADDITIONAL STATEMENTS

TRIBUTE TO MARIA HARRISON

• Mrs. HAGAN. Mr. President, Maria Harrison reported for her first day of work with the Federal Aviation Administration on Monday, June 18, 1973. On January 3, 2015, she will retire from the U.S. Department of Transportation after 41 years and 6 months of service to our country as a Federal employee. Except for 10 months at the Small Business Administration, she spent her career in the transportation field:

Federal Aviation Administration, 6/18/1973 to 07/30/1977; Small Business Administration, 07/31/1977 to 05/20/1978; Department of Transportation/OST, 05/21/

1978 to 04/03/1982; Department of Transportation/MARAD, 04/04/1982 to 12/24/1983; Department of Transportation/FAA, 12/25/1983 to 06/04/1988; Department of Transportation/FRA, 6/05/1988 to 11/03/2001; and Department of Transportation/OST, 11/04/2001 to Present.

Ms. Harrison currently works in the Office of Governmental Affairs at U.S. DOT, where she has been of assistance to my office and constituents numerous of times. I am sure that every office in the U.S. Senate benefited directly from her good works. As much as her colleagues at U.S. DOT will miss her, she has earned the right to spend more time with her friends and family, especially her granddaughter whose pictures adorn the desk of her office. She has earned the deepest of gratitude from those of us in the U.S. Senate. Above all else, she has earned the thanks of the country she has so unselfishly served for over 41 years. Thank you Ms. Harrison.●

TRIBUTE TO REBECCA SCHMIDT

● Mr. MARKEY. Mr. President, I would like to recognize the outstanding career of Rebecca L. Schmidt, who retired in 2014 after 30 years of dedicated service in the Federal Government. For the last 8 years of her career, Ms. Schmidt served the U.S. Nuclear Regulatory Commission as the Director of the Office of Congressional Affairs. In that position, she brought to the agency a fresh approach to congressional relations, implementing a more rigorous and proactive liaison role with congressional offices as well as expanding the office's outreach to other Federal agencies and external groups. She received the Meritorious Executive Presidential Rank Award in 2010 in recognition of her valuable contributions to the agency, including her organizational and communications skills and her ability to build better relationships between the NRC, Congress and community groups.

Ms. Schmidt started her career in the Congressional Budget Office, and later was selected for the Presidential Management Intern Program, where she participated in executive development assignments throughout government. Ms. Schmidt's assignments included working in the Office of Program Analysis and Evaluation for the Army Chief of Staff; the Budget Division at Army Western Command Headquarters, Hawaii; the Management Secretariat and the National Security Division at OMB; and the House Budget Committee.

She later worked for the U.S. Army Support Command in Hawaii, where she supervised analysts responsible for formulating long-run strategic plans and performing management studies for the installation. For the next 7 years she worked for the Congress serving as a senior defense and international affairs analyst for the House Budget Committee and then as a senior professional staff member of the House Armed Services Committee where she briefed Members of Congress on technical budget matters and legislative language for the Defense authorization bill.

Following her time working for Congress, Ms. Schmidt spent the next 10 years working for the Secretary of Defense. Her service included evaluating costs and benefits for operating bases as the Deputy Director of the Base Closure Office; serving as staff assisting the members of Secretary Cohen's Defense Reform Task Force; and as a budget analyst developing the Department of Defense's 5-year budget for the Under Secretary of Defense, Comptroller. Prior to her work at the NRC, Ms. Schmidt served 6 years in the Senior Executive Service as the Associate Director for Budget Presentation and Congressional Liaison in the Office of the Secretary of Defense for the Comptroller. She was responsible for preparing the Secretary of Defense, the Deputy Secretary of Defense, and the Comptroller for all budget hearings before Congress.

Over the years, she worked for four NRC Chairmen, three Secretaries of Defense and four congressional committee chairmen. She contributed her knowledge of nuclear, defense, and budget process issues and became skillful in political strategy, strategic planning and management analysis. During her three decades of public service, she demonstrated integrity, a commitment to excellence, and outstanding leadership.

Ms. Schmidt received a bachelor's degree from Wittenberg University and earned a master's degree in public policy analysis from Duke University. She has remained a loyal supporter of the Blue Devils since her graduate school days, and her blue frosted cupcakes and enthusiasm for her basketball team will be greatly missed by her congressional affairs staff during March Madness and regular season games.●

TRIBUTE TO RUSS SMITH

● Mr. CARPER. Mr. President, on behalf of the Delaware Delegation, I wish to honor the exemplary service of the superintendent of the First State National Historical Park, Mr. Russell P. Russ Smith. A native of New Castle, DE, and a devoted husband to his wife Jacqueline, two sons and two grandchildren, Russ returned to Delaware in May 2013 to cap his 42-year career with the National Park Service at the First State National Historical Park.

Russ began working for the National Park Service shortly after earning a degree in American history from the University of Delaware. For the 10 years prior to his work in Delaware, he managed Fredericksburg and Spotsylvania National Military Park in Fredericksburg, VA. His 28 years of field experience have included assignments at Prince William Forest Park, Fort Sumter National Monument, Independence National Historical Park, Hopewell Furnace National Historic Site and George Washington Birthplace National Monument.

In 11 years at Independence National Historical Park, Russ oversaw nearly 100 employees and was responsible for telling the park's great story in American history by planning interpretive programs, creating museum and outdoor exhibits, and developing videos and publications. In 1989, Russ continued telling America's great stories when he was named chief of interpretation and visitor services for the Mid-Atlantic region, a position in which he pioneered the current interpretive planning system used by the National Park Service.

It is fitting that his long career led him back to Delaware, where in March of 2013, President Barack Obama authorized sites in Delaware to be a part of the First State National Monument. The monument tells the story of early colonial settlement leading up to the ratification of the constitution. For the first time, Delaware was included in the National Park System, and Russ was back home, leading the monument as superintendent. Under his watch, the First State National Monument turned into the First State National Historical Park, finally giving Delaware the national park it long deserved.

Russ has received the Mid-Atlantic Region's Freeman Tilden Award, the highest award for interpretation, the Director's Design Award for his interpretive plan for the Edgar Allan Poe National Historic Site, a Superior Service Award from the Department of the Interior for redesigning the National Park Service interpretive planning system and the National Park Service's Appleman-Judd-Lewis Award for excellence in cultural resource management.

Russ is a visionary and a leader. His work touched as many as 70 national park units from Maine to West Virginia and has allowed Americans and visitors from around the world to understand and enjoy the history and beauty that our Nation's national parks and monuments hold. Russ has devoted his life's work to our Nation's park service and has done a tremendous job of inspiring others to enjoy our Nation's history.

On behalf of Senator CHRIS COONS and Congressman JOHN CARNEY, I wholeheartedly thank Russ for his 42 years of service to the National Park Service and to our Nation. His model leadership and dedication to educate those of all generations is his legacy. We offer our sincere congratulations on a job well done, and wish him, his wife Jacqueline, and their family many happy, healthy and successful years to come.●

REMEMBERING MELVIN MARK RICHARDSON

● Mr. CRAPO. Mr. President, I wish to honor the life of Mel Richardson, an

Idaho leader with a legacy in public service and broadcasting, who passed away last week.

Mel Richardson's radio broadcasting career thankfully brought him and his wife of 61 years, Dixie, to Idaho more than six decades ago. And we are better for it. Over the span of his 62-year radio and television broadcasting career, Mel hosted several sports and public affairs programs and was a sportscaster for professional, college and high school athletics.

He also devoted considerable time to public service. During the Korean war, he served in the Active Army Reserves and later was the first elected mayor of the City of Ammon, where he led significant public works projects, paving the way for the town's future progress. I was honored to serve in the Idaho State Legislature with him. During my time in the Idaho State Senate, he served in the Idaho House of Representatives, and was elected to the Idaho State Senate seat I vacated when I was elected to Congress in 1992. For 16 years, he served in the Idaho State Senate, where he utilized his position to expand education opportunities for Idaho students by furthering the adoption of technology in Idaho schools.

Mel served our community and Idaho with civility and excellence. In addition to his tenure in the legislature, he served in numerous other positions. These included serving as director of Idaho Association of Cities; co-chairman of the Idaho Centennial Commission; Bonneville County Recreation commissioner; chairman of the American Family Institute; and chairman of the United Way. His exemplary work was recognized through numerous awards and honors that included being named Legislator of the Year by the Idaho State Republican Party, Idaho Library Association, State Farm Bureau and Idaho School Administrators.

He was also active in the Church of Jesus Christ of Latter-day Saints, in which he served in numerous leadership positions. Additionally, he supported the Boy Scouts of America through which he was the recipient of the Silver Beaver Award of Merit. Mel also recognized the life lessons afforded in sports and instilled these values through coaching youth athletic teams.

Mel welcomed me as a regular guest on the radio program he hosted with his son, Mark, who continues to host the talk show. I greatly admired Mel's openness in taking all sides of an issue into account, and his kindness and consideration. Mel had one of the greatest qualities: As his son, Todd, recognized, ''He could disagree with you without being disagreeable.'' I could always count on an interesting, thoughtful discussion, and I looked forward each week to our conversations.

But among all those accomplishments and public accolades, Mel's pride and strength was found in his family and home. He and Dixie raised five children, who have all gone on to contribute to their own communities. He loved the time that he spent with them; in fact, he passed up some interesting career opportunities to ensure that he would be able to spend time with them. Mel's enthusiasm and joy in life can also be found in his 25 grandchildren and 28 great-grandchildren.

I extend my deep condolences to Dixie, their children and his many family members and friends. We are all better for having known him, and his legacy of thoughtfulness, inclusiveness and devotion to furthering opportunities for others and Idaho's future will not be forgotten.●

RECOGNIZING THE YOUNG MARINES

● Mr. MERKLEY. Mr. President, I wish to state for the record my support for the Young Marines and their work to help reduce drug abuse in America. The abuse of drugs plagues our communities, disrupts our schools, and has a negative effect not only on the people who use drugs, but their communities as well. Drug abuse devastates our families, children and neighborhoods.

I support programs that demonstrate effective strategies to decrease drug abuse. As one of the largest drug prevention programs in the Nation, the Red Ribbon Campaign educates our youth about the problems and risks associated with drug use. The Young Marines' effort to educate and inform community members through the Red Ribbon Campaign helps increase awareness about drug abuse, and in turn, helps reduce the demand for drugs.

The Young Marines is a national nonprofit youth education and service program for boys and girls, age 8 through the completion of high school. The Young Marines promotes the mental, moral and physical development of its members. The program focuses on teaching the values of leadership, teamwork and self-discipline so its members can live and promote a healthy, drug-free lifestyle. This program was brought to my attention earlier this year by Branson Coiteux of Portland, OR who himself is a Young Marine and is working hard to educate his fellow students about the dangers of drug abuse. Each year Brandon and his fellow Young Marines participate in the national Red Ribbon Week and help educate and raise awareness about drug abuse.

We need more groups like the Young Marines and programs to fight drug abuse and bring the discussion about drug abuse out in the open and educate our children about the dangerous effects that drug abuse can have on our families. I thank them for their hard work and service and hope that we can end the devastating effect that drugs have on our Nation.●

REMEMBERING JOYCE CRAIG LEWIS

● Mr. TOOMEY. Mr. President, today, I honor fallen Philadelphia firefighter, Joyce Craig Lewis. Ms. Craig Lewis tragically perished on Tuesday, December 9, 2014, while courageously battling a house fire in the West Oak Lane section of Philadelphia.

Ms. Craig Lewis was a proud 11-year veteran of the Philadelphia Fire Department and a certified EMT. A native of Philadelphia, Ms. Craig Lewis was one of 58 women among the nearly 1,800 firefighters in the city. Joyce served in several of the most active firehouses in Philadelphia.

Philadelphia Fire Commissioner Derrick Sawyer praised Ms. Craig Lewis for having a strong work ethic as evidenced by her desire to be stationed in challenging environments. Mayor Michael Nutter aptly stated that her passing is a tremendous loss for Philadelphians.

Joyce Craig Lewis is the first female firefighter in Philadelphia to die in the line of duty. She is survived by her 16-year-old son and 16-month-old daughter.

On behalf of the U.S. Senate, I wish to express my condolences to her family, friends, brothers and sisters in fire departments across the Commonwealth of Pennsylvania. May she rest in peace.●

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 4:20 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Mr. HARRIS) has signed the following enrolled bills:

S. 2338. An act to reauthorize the United States Anti-Doping Agency, and for other purposes.

S. 3008. An act to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

H.R. 83. An act making consolidated appropriations for the fiscal year ending September 30, 2015, and for other purposes.

H.R. 2591. An act to amend certain provisions of the FAA Modernization and Reform Act of 2012.

H.R. 5859. An act to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

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

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–364. A resolution adopted by the Senate of the State of Michigan requesting the Congress of the United States to prohibit the U.S. Postal Service from closing or consolidating the mail processing and distribution center in Lansing, Michigan; to the Committee on Homeland Security and Governmental Affairs.

SENATE RESOLUTION NO. 189

Whereas, On January 5, 2015, the United States Postal Service plans to close or consolidate the mail processing and distribution center (P&DC) on Collins Road in Lansing; and

Whereas, This plan would severely delay mail delivery; and

Whereas, The delay of mail would negatively affect residents and local businesses and harm the community; and

Whereas, The closure is not in the public's best interest and depends on a degradation of service standards that would result in the virtual elimination of overnight mail delivery throughout the country; and

Whereas, According to 39 USC 101(a), federal law stipulates: ''The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons to all areas and shall render postal services to all communities.''. Now, therefore, be it

Resolved by the Senate, That we hereby urge congressional intervention to stop the proposal to close or consolidate the Lansing mail processing and distribution center which will cause the delay of mail and elimination of overnight delivery of first-class mail; 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.

POM–365. A resolution adopted by the Senate of the State of Michigan memorializing the Congress of the United States to stop the U.S. Postal Service from closing and consolidating the mail processing and distribution center in Kingsford, Michigan; to the Committee on Homeland Security and Governmental Affairs.

SENATE RESOLUTION NO. 192

Whereas, The United States Postal Service plans to close the mail processing center in Kingsford, Michigan, and consolidate services 100 miles away in Green Bay, Wisconsin. The closure is scheduled to take effect on January 5, 2015; and

Whereas, The consolidation will severely delay mail delivery and result in a degradation of postal service standards by virtually eliminating overnight first-class mail delivery in large portions of Michigan's Upper Peninsula. The Kingsford mail processing center is the only center serving the entire Upper Peninsula. The consolidation will require mail to travel up to 230 miles simply for processing and slow current one-day, first-class mail service to two- or three-day service in the Upper Peninsula; and

Whereas, This consolidation is not in the public's best interest. For the past four years, the state of Michigan has looked to the Upper Peninsula and its natural resources as a means for sparking economic growth. This degradation of mail service sends a negative message to developers and investors. In addition, current Upper Peninsula business owners rely greatly on the U.S. Postal Service for their mail and shipping needs. The expected delays will negatively affect these local businesses, particularly small businesses, and residents; and

Whereas, The inevitable delays in mail service run directly counter to federal postal policy established by the U.S. Congress. Section 101 of the Postal Reorganization Act of 1970 stipulates:

''The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities.''

It is difficult to conceive how this closure meets the U.S. Postal Service's obligation to provide ''prompt, reliable, and efficient services to patrons in all areas''. Now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to stop the U.S. Postal Service from closing and consolidating the mail processing center in Kingsford, Michigan; 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, the members of the Michigan congressional delegation, the Postmaster General of the United States, and the Office of the Governor.

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. LEVIN:

S. 3018. A bill to amend the Internal Revenue Code of 1986 to reform the rules relating to partnership audits and adjustments; to the Committee on Finance.

By Mr. LEVIN:

S. 3019. A bill to amend the War Powers Resolution to provide for the use of military force against non-state actors; to the Committee on Foreign Relations.

By Mr. HARKIN:

S. 3020. A bill to establish the composition known as America the Beautiful as the national anthem; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 1463

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1695

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1695, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 2644

At the request of Mr. PAUL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2644, a bill to restore the integrity of the Fifth Amendment to the Constitution of the United States, and for other purposes.

S. 2971

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS), the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Mr. FRANKEN), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2971, a bill to promote energy efficiency, and for other purposes.

S. 3015

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 3015, a bill to establish a rule of construction clarifying the limitations on executive authority to provide certain forms of immigration relief.

AMENDMENT NO. 4117

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 4117 intended to be proposed to H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes.

AMENDMENT NO. 4118

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4118 intended to be proposed to H.R. 83, to require the Secretary of the Interior to assemble a team of technical, policy, and financial experts to address the energy needs of the insular areas of the United States and the Freely Associated States through the development of energy action plans aimed at promoting access to affordable, reliable energy, including increasing use of indigenous clean-energy resources, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN:

S. 3018. A bill to amend the Internal Revenue Code of 1986 to reform the rules relating to partnership audits and adjustments; to the Committee on Finance.

Mr. LEVIN. Mr. President, today, I am introducing the Partnership Auditing Fairness Act, a bill designed to improve and streamline the audit procedures for large partnerships. This bill would ensure that large for-profit partnerships, like other large profitable businesses, are subject to routine audits by the Internal Revenue Service, IRS, and eliminate audit red tape that currently impedes IRS oversight. This legislation mirrors a provision in the Tax Reform Act of 2014, introduced earlier this year by Congressman DAVID CAMP.

This legislation would fix a problem that has gained only more urgency with time and the explosion in growth of large partnerships, including hedge funds, private equity funds, and publicly traded partnerships. In a September 2014 report, the Government Accountability Office, GAO, determined that the number of large partnerships, defined by GAO as those with at least 100 partners and $100 million in assets, has tripled since 2002, to over 10,000, while the number of so-called C corporations being created, which include our largest public companies,

fell by 22 percent. According to the GAO report, some of those partnerships have revenues totaling billions of dollars per year and now collectively hold more than $7.5 trillion in assets, but the IRS is auditing only a tiny fraction of them. According to GAO, in 2012, the IRS audited less than 1 percent of large partnerships compared to 27 percent of C corporations. Put another way, a C corporation is 33 times more likely to face audit than partnership.

A recent hearing by the Permanent Subcommittee on Investigations, which I chair, demonstrated the critical need to audit large partnerships for tax compliance and abusive tax schemes. Our July 2014 hearing presented a detailed case study of how two financial institutions developed a structured financial product known as a basket option and sold the product to 13 hedge funds that used the options to avoid billions of dollars in Federal taxes. The trading by those hedge funds was mostly made up of short term transactions, many of which lasted only seconds. However, the hedge funds recast their short-term trading profits as long-term option profits, and claimed the profits were subject to the long-term capital gains tax rate rather than the ordinary income tax rate that would otherwise apply to hedge fund investors engaged in daily trading. One hedge fund used its basket options to avoid an estimated $6 billion in taxes. Those types of abusive tax practices illustrate why large partnerships like hedge funds need to be audited by the IRS just as much as large corporations.

During its review, GAO found that large partnerships are often so complex that the IRS can't audit them effectively. GAO reported that some partnerships have 100,000 or more partners arranged in multiple tiers, and some of those partners may not be people or corporate entities but pass-through entities—essentially, partnerships within partnerships. Some are publicly traded partnerships, which means their partners can change on a daily basis. One IRS official told GAO that there were more than 1,000 partnerships with more than a million partners in 2012.

GAO also found obstacles in the law. The Tax Equity and Fiscal Responsibility Act, TEFRA, now 3-decades-old, was enacted at a time when many partnerships had 30–50 partners; it does not adequately deal with current realities. That is why I am introducing legislation to repeal some of its provisions and streamline the audit and adjustment procedures used for large partnerships so that the IRS can exercise effective oversight to detect and deter tax noncompliance or tax abuse schemes.

Three technical aspects of TEFRA create particularly difficult obstacles to IRS audits and tax collection efforts for large partnerships. The first requires the IRS to identify a ''tax matters partner'' to represent the partnership on tax issues, but many partnerships do not designate such a partner, and simply identifying one in a complex partnership can take months. Second, notifying individual partners prior to commencing an audit costs time and money, yet produces few if any benefits. Third, TEFRA requires that any tax adjustments called for by an audit be passed through to the partnership's taxable partners, but the IRS's process for identifying, assessing, and collecting from those partners is a manual rather than by electronic process, which makes it laborious, time consuming, costly, and subject to error. For example, if a partnership with 100,000 partners under-reported the tax liability of its partners by $1 million, the IRS would have to manually link each of the partners' returns to the partnership return. Then, assuming each partner had an equal interest in the partnership, the IRS would have to find, assess, and collect $10 from each partner. That collection effort is not practical nor is it cost effective. In addition, under TEFRA, any tax adjustments have to be applied to past tax years, using complicated and expensive filing requirements, instead of to the year in which the audit was performed and the adjustment made.

Fixing the technical flaws in TEFRA is critical to ensuring that the audit playing field is level for all taxpayers. An essential element of any system of taxation is that it be fair—that is, that all those who pay taxes have a reasonable expectation that they are being treated in the same fashion as other taxpayers. Without fairness, not only does a tax system violate ethical principles, but the system itself fails to collect taxes owed, arouses resentment and complaints, and can even spark widespread noncompliance. The current situation in which large corporations are audited 33 times more than large partnerships is neither fair nor sustainable.

The Partnership Auditing Fairness Act would eliminate the existing audit disparity by streamlining the audit process for large partnerships. It would simplify audit notification and administrative procedures. It would no longer require the IRS to waste audit time trying to find a tax matters partner. It would allow the IRS to audit, assess, and collect tax from the partnership, rather than passing the adjustments through to and collecting from each taxable partner. It would apply any tax adjustments to the tax year in which the adjustments were finalized, rather than past tax years under audit.

The enormous discrepancy in audit rates between partnerships and other business forms raises a fundamental question of fairness. If one type of entity can be nearly free of IRS audits, businesses that do pay their taxes and are subject to the audit process rightly feel disadvantaged. That lack of fairness is something we simply can't tolerate.

For these reasons, in the next Congress, I urge my colleagues to consider supporting this legislation to fix the large partnership audit problem.

Mr. President, I ask unanimous consent that a bill summary be printed in the RECORD.

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

SUMMARY OF THE PARTNERSHIP AUDITING FAIRNESS ACT

The Partnership Auditing Fairness Act would ensure that large for-profit partnerships, like other large profitable businesses, are subject to routine audits by the IRS and eliminate audit red tape that currently impedes IRS oversight. Specifically, it would reform audit procedures imposed by the 1982 Tax Equity and Fiscal Responsibility Act, TEFRA, which are now outdated and contribute to the low audit rate for large partnerships. The bill mirrors the same provision addressing this issue in the larger tax reform bill developed by Congressman DAVID CAMP. Key provisions of the bill would:

Apply streamlined audit rules to all partnerships, but allow partnerships with 100 or fewer partners, other than partners that are pass-through entities, to opt out of the bill's audit procedures and elect instead to be audited under the rules for individual taxpayers.

Simplify partnership audit participation by having partnerships act through a designated partnership representative.

Simplify audit notification and administrative procedures by repealing the TEFRA and Electing Large Partnership requirement that the IRS notify all partners prior to initiating an audit.

Streamline audit adjustments by authorizing the IRS to make adjustments at the partnership level and apply the adjustments to the tax year in which the adjustments are finalized, rather than to the tax years under audit.

Streamline tax return filing by enabling partnerships to include audit adjustments on their current tax returns for the year in which the adjustments are finalized, instead of having to amend prior-year returns.

Eliminate the TEFRA problem of having to find and separately collect any tax due from each affected partner by instead collecting the tax at the partnership level.

Enable partnerships to use administrative procedures to request reconsideration of a proposed under payment of tax by submitting tax returns for individual partners and paying any tax due, while retaining the ability to contest all audit results in court.

By Mr. LEVIN:

S. 3019. A bill to amend the War Powers Resolution to provide for the use of military force against non-state actors; to the Committee on Foreign Relations.

Mr. LEVIN. Mr. President, when the War Powers Resolution was passed over a Presidential veto in 1973, its supporters expected that the War Powers Resolution would ensure that a national dialogue takes place before the employment of the U.S. Armed Forces in hostilities. The President—then President Nixon—was concerned that the War Powers Resolution's termination of certain authorities after 60 days unless extended by Congress would create unpredictably in U.S. foreign policy.

The War Powers Resolution, as a practical matter, has not been effective. Every subsequent President since

President Nixon has viewed the War Powers Resolution as an unconstitutional impingement on the President's powers as Commander in Chief. So the 60-day trigger in the act has never been used to terminate hostilities, and the national dialogue envisioned by the authors of the resolution has failed to come about.

I have a proposal to amend the War Powers Act in those instances where nonstate actors are the target. We are the target of them. They must become and should become the target for us to try to deter and respond to them when they attack us and try to terrorize us.

I have introduced a bill today with a suggested amendment to the War Powers Act. When the War Powers Resolution was passed over a Presidential veto in 1973, its supporters expected that the War Powers Resolution would ensure that a national dialogue takes place before the employment of the U.S. Armed Forces in hostilities.

The President, on the other hand, argued that the enactment of the legislation ''would seriously undermine this Nation's ability to act decisively and convincingly in times of international crisis.'' In his veto message, President Nixon argued that: ''As a result, the confidence of our allies in our ability to assist them could be diminished and the respect of our adversaries for our deterrent posture could decline. A permanent and substantial element of unpredictability would be injected into the world's assessment of American behavior, further increasing the likelihood of miscalculation and war.''

The President was particularly concerned that the War Powers Resolution's termination of certain authorities after 60 days unless extended by Congress would create unpredictability in U.S. foreign policy. The War Powers Resolution requires the President to consult ''in every possible instance'' prior to introducing U.S. Armed Forces into hostilities and to report to Congress within 48 hours when, absent a declaration of war, U.S. Armed Forces are introduced into ''hostilities or . . . situations where imminent involvement in hostilities is clearly indicated by the circumstances.'' After this report is submitted, the resolution requires that U.S. troops be withdrawn at the end of 60 days, unless Congress authorizes continued involvement by passing a declaration of war or some other specific authorization for continued U.S. involvement in such hostilities.

Every subsequent President has viewed the War Powers Resolution as an unconstitutional impingement on the President's powers as Commander in Chief. As a result, the 60-day trigger in the Act has never been used to terminate hostilities, and the national dialogue envisioned by the authors of the Resolution has failed to come about.

At this very moment, our troops have been engaged in hostilities in Iraq and Syria for more than 60 days, without the enactment of an authorizing resolution by Congress. Some believe that the continuing hostilities are a violation of the War Powers Resolution. Others argue that the War Powers Resolution has not been triggered, because our military actions can be justified under earlier authorizations. Either way, it is clear that the 60-day limitation in the resolution has had no more force and effect in the case of the battle against ISIS than it did in earlier actions in Bosnia, Kosovo, and elsewhere.

I believe that the War Powers Resolution needs to be modernized to make it more relevant to the situations our military is likely to face in the 21st century—in particular, the ongoing struggle against new and evolving terrorist groups.

Today, I filed a bill that would amend the War Powers Resolution to authorize the President to act against non-state actors like ISIS, where he judges it necessary to address a continuing and imminent threat to the United States, subject to a resolution of disapproval by Congress under the War Powers Resolution. This approach would allow the President to take decisive action to address imminent terrorist threats, while reserving a clear role for Congress through a resolution of disapproval. I believe that this approach would provide for a national dialogue on the use of military force with respect to non-state actors like ISIS, while avoiding the dead end provided unworkable requirement of the current War Powers Resolution, under which congressional inaction could require U.S. troops to suddenly disengage from the enemy while in harm's way.

My amendment would provide that the authority to use U.S. Armed Forces against non-state actors would terminate after 60 days unless either: 1, the President's actions are based on a law providing for the use of military force against a non-state actor; or 2, the President notifies Congress that continued use of military force is necessary because the non-state actor poses a ''continuing and imminent threat'' to the United States or U.S. persons, and Congress does not enact a joint resolution of disapproval under expedited procedures.

Expedited procedures under the War Powers Resolution would ensure that Congress considers the issue. Under these procedures, if a resolution of disapproval is filed in a timely manner by any Senator, the Senate Foreign Relations Committee would have 15 calendar days to report the resolution or be discharged. The Senate would then have 3 days to consider the Resolution, with time equally divided between proponents and opponents of the measure. As with any joint resolution, the measure could be vetoed, and such a veto would be subject to an override vote in Congress.

I believe this approach would provide greater clarity for the Executive and Legislative branches and I hope a future Senate will consider it.

By Mr. HARKIN:

S. 3020. A bill to establish the composition known as America the Beautiful as the national anthem; to the Committee on the Judiciary.

Mr. HARKIN. Mr. President, today I am introducing one last bill as a United States Senator. It is on an issue I have long wanted to tackle, changing our national anthem to one I believe is more representative of the amazing country and people that make up our United States of America. I believe that from its very first line, ''Oh beautiful for spacious skies'' America the Beautiful captures the spirit of our democracy and our shared commitment to liberty and freedom far better than our current anthem.

Now some might say but the Star Spangled Banner has always been our national anthem, but that's not true. In fact its only been the anthem since 1931 and its only been in popular use during the last 100 years. It first became popular with the military, particularly the Navy.

But the bottom line is that the Star Spangled banner commemorates a single battle, just one of the many historic battles and wars that we have fought to create and protect our great country. I think to me the thing that best captures my concern with the Star Spangled Banner, in addition to the fact that it is hard as heck for a layperson to sing, is that it doesn't actually mention the word ''America.''

In contrast, America the Beautiful celebrates not just the amazing geography and wonder of our country—from amber waves of grain to purple mountains—from sea to shining sea, but also captures something of our national spirit when we sing ''A thoroughfare of freedom beat, across the wilderness.''

Moreover, unlike the Star Spangled banner, America the Beautiful, like our coins, like our daily invocation here in the Senate acknowledges a higher power and calls upon god to guide us, to shed grace upon us, while also celebrating the heroism of those who have sacrificed their lives to create and preserve our democracy.

I am well aware that this legislation to redesignate the national anthem to ''America the Beautiful'' is not going to pass today, one of my final days in the Senate, but I would ask those who follow me to keep in mind the importance of symbols like the national anthem in reminding us what is great about this country—equality of opportunity, geographic diversity and majesty, shared commitment to individual liberty—and give serious thought to this proposal.

America the Beautiful is an anthem that far better embodies both the land and the principles that are the unifying beliefs of our democracy and for which we all stand together: freedom, liberty, and progress. For these reasons I believe that ''America the Beautiful'' should replace ''The Star Spangled Banner'' as the national anthem and I hope that my colleagues will come to share this view.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4121. Mr. FLAKE (for himself, Mr. ALEXANDER, Mr. MCCAIN, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table.

SA 4122. Mr. PRYOR (for Mr. JOHNSON of South Dakota) proposed an amendment to the bill S. 684, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes.

SA 4123. Mr. PRYOR (for Mr. BARRASSO) proposed an amendment to the bill S. 1800, to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.

SA 4124. Mr. PRYOR (for Mr. BROWN (for himself and Mr. PORTMAN)) proposed an amendment to the resolution S. Res. 564, honoring conservation on the centennial of the passenger pigeon extinction.

SA 4125. Mr. PRYOR (for Mr. BROWN (for himself and Mr. PORTMAN)) proposed an amendment to the resolution S. Res. 564, supra.

SA 4126. Mr. PRYOR (for Mr. BROWN) proposed an amendment to the resolution S. Res. 226, celebrating the 100th anniversary of the birth of James Cleveland ''Jesse'' Owens and honoring him for his accomplishments and steadfast commitment to promoting the civil rights of all people.

TEXT OF AMENDMENTS

SA 4121. Mr. FLAKE (for himself, Mr. ALEXANDER, Mr. MCCAIN, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

Strike section 155.

SA 4122. Mr. PRYOR (for Mr. JOHNSON of South Dakota) proposed an amendment to the bill S. 684, to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes; as follows:

At the end of the bill, add the following:

SEC. ___. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $15,000,000.

SA 4123. Mr. PRYOR (for Mr. BARRASSO) proposed an amendment to the bill S. 1800, to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; as follows:

At the end of the bill, add the following:

SEC. ___. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $2,000,000.

SA 4124. Mr. PRYOR (for Mr. BROWN (for himself and Mr. PORTMAN)) proposed an amendment to the resolution S. Res. 564, honoring conservation on the centennial of the passenger pigeon extinction; as follows:

In the resolving clause, insert ''balanced and responsible'' before ''conservation''.

SA 4125. Mr. PRYOR (for Mr. BROWN (for himself and Mr. PORTMAN)) proposed an amendment to the resolution S. Res. 564, honoring conservation on the centennial of the passenger pigeon extinction; as follows:

Strike the first whereas clause of the preamble.

In the third whereas clause of the preamble, strike ''as a cautionary tale and raise awareness of current issues related to human-caused extinction,'' and insert ''to encourage communities to''.

SA 4126. Mr. PRYOR (for Mr. BROWN) proposed an amendment to the resolution S. Res. 226, celebrating the 100th anniversary of the birth of James Cleveland ''Jesse'' Owens and honoring him for his accomplishments and steadfast commitment to promoting the civil rights of all people; as follows:

In the 12th whereas clause of the preamble, strike ''President Franklin D. Roosevelt'' and all that follows through ''President Dwight D. Eisenhower'' and insert ''the 32nd President of the United States or the 33rd President of the United States, but was later recognized in 1955 by the 34th President of the United States''.

In the 15th whereas clause of the preamble, strike ''President Gerald R. Ford'' and all that follows through ''President George H.W. Bush'' and insert ''the 38th President of the United States in 1976 and the Living Legend Award by the 39th President of the United States in 1979, and was posthumously awarded the Congressional Gold Medal by the 41st President of the United States''.

GRAND PORTAGE BAND PER CAPITA ADJUSTMENT ACT

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3608, which is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 3608) to amend the Act of October 19, 1973, concerning taxable income to members of the Grand Portage Band of Lake Superior Chippewa Indians.

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

Mr. PRYOR. I ask unanimous consent that the bill be read three times 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 bill (H.R. 3608) was ordered to a third reading, was read the third time, and passed.

FATHER RICHARD MARQUESS-BARRY POST OFFICE BUILDING

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4030.

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

The assistant legislative clerk read as follows:

A bill (H.R. 4030) to designate the facility of the United States Postal Service located at 18640 NW 2nd Avenue in Miami, Florida, as the ''Father Richard Marquess-Barry Post Office Building.''

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

Mr. PRYOR. I ask unanimous consent that the bill 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 bill (H.R. 4030) was ordered to a third reading, was read the third time, and passed.

MNI WICONI PROJECT ACT AMENDMENTS OF 2013

BUREAU OF RECLAMATION TRANSPARENCY ACT

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following bills en bloc: Calendar No. 131, S. 684; and Calendar No. 513, S. 1800.

The PRESIDING OFFICER. The clerk will report the bills by title en bloc.

The assistant legislative clerk read as follows:

A bill (S. 684) to amend the Mni Wiconi Project Act of 1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 684

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 ''Mni Wiconi Project Act Amendments of 2013''.

SEC. 2. OTHER AGENCY ASSISTANCE.

The Mni Wiconi Project Act of 1988 (Public Law 100–516; 102 Stat. 2566; 108 Stat. 4543) is amended by inserting after section 3B the following:

''SEC. 3C. PLANS FOR COMPLETING THE OGLALA SIOUX RURAL WATER SUPPLY SYSTEM, ROSEBUD SIOUX RURAL WATER SYSTEM, AND LOWER BRULE SIOUX RURAL WATER SYSTEM.

''(a) PLANS FOR COMPLETION.—

''(1) IN GENERAL.—In consultation with the Oglala Sioux Tribe, the Rosebud Sioux Tribe, and the Lower Brule Sioux Tribe, as applicable, and the Federal agency heads listed in subsection (b)(1), the Secretary shall develop plans to complete the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System.

''(2) CONTENTS.—The plan for each water supply system described in paragraph (1) shall require—

''(A) the completion of remaining components of the applicable system in accordance with the Final Engineering Report dated May 1993;

''(B) the improvement, repair, and replacement of existing water systems; and

''(C) the transfer of those existing water systems to the United States, to be held in trust for the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe, as applicable, and made part of the applicable rural water system.

''(3) SUBMISSION TO CONGRESS.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

''(A) a copy of each plan developed under this subsection, including a schedule for full implementation of the plan that shall not exceed a period of 15 years after the date of enactment of this section;

''(B) a report that includes—

''(i) a description of the roles and responsibilities of each of the heads of the Federal agencies listed in subsection (b)(1) (including the Commissioner of the Bureau of Reclamation) relating to the completion of the water supply systems, including with respect to the improvement, repair, and replacement of the existing water systems before and after transfer;

''(ii) the program authorities of each Federal agency listed in subsection (b)(1) and a description of how the heads of the Federal agencies will work together to complete and implement the plans; and

''(iii) the amount of funding and any other need the Secretary determines to be necessary to complete and implement the plans; and

''(C) as applicable, a description of the roles and responsibilities of the heads of other Federal agencies that have existing authorities to provide assistance to the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe.

''(b) INTERAGENCY AGREEMENTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into agreements with the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Secretary of Housing and Urban Development—

''(A) to fulfill the trust responsibility of the United States; and

''(B) to complete the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System in accordance with the Final Engineering Report dated May 1993, including the transfer of existing water systems, *as set forth in the plans for completion developed under subsection (a)*.

''(2) COOPERATION.—

''(A) IN GENERAL.—The heads of the Federal agencies described in paragraph (1) shall assist the Secretary in completing the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System pursuant to sections 3(a), 3A(a), and 3B(a), respectively, including by—

''(i) improving, repairing, and replacing existing water systems as set forth in the plans developed under subsection (a); and

''(ii) constructing new rural water facilities, service lines, and other necessary features.

''(B) ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.—The Administrator of the Environmental Protection Agency shall assist the Secretary in meeting the environmental and safe drinking water needs of the Pine Ridge Indian Reservation, the Rosebud Indian Reservation, and the Lower Brule Indian Reservation, including through compliance with the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

''(C) SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services shall assist the Secretary in meeting the water supply and public health needs of the Pine Ridge Indian Reservation, the Rosebud Indian Reservation, and the Lower Brule Indian Reservation, including through compliance with the Act of August 5, 1954 (commonly known as the 'Indian Sanitation Facilities Act') (42 U.S.C. 2001 et seq.).

''(D) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—The Secretary of Housing and Urban Development shall assist the Secretary by carrying out projects to connect houses that are eligible for funding from the Department of Housing and Urban Development on the reservations of the Oglala Sioux Tribe, the Rosebud Sioux Tribe, and the Lower Brule Sioux Tribe, through plumbing, water pipes, appurtenances, and interconnections to the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System, respectively, to meet the water conservation standards of those water supply systems.

''(3) LIVESTOCK DISTRIBUTION SYSTEMS.—

''(A) IN GENERAL.—The Secretary and the Secretary of Agriculture shall, through the use of authorities of the Bureau of Indian Affairs and the Department of Agriculture, respectively, complete, during a period not to exceed 15 years after the date of enactment of this section, the livestock distribution system for the Oglala Sioux Rural Water Supply System and the Rosebud Sioux Rural Water System, consistent with the Final Engineering Report dated May 1993.

''(B) ADMINISTRATION.—For each water supply system described in subparagraph (A), the Secretary shall enter into agreements with the Secretary of Agriculture and the Director of the Bureau of Indian Affairs that set forth the specific responsibilities of each agency concerning the construction of the livestock distribution systems.

''(4) LEAD AGENCY.—The Department of the Interior, acting through the Bureau of Reclamation, shall act as the lead agency in carrying out this section.

''(5) ADMINISTRATION.—

''(A) IN GENERAL.—Each agency head shall carry out the duties of the agency head under this subsection out of amounts made available to the agency head under annual appropriations and existing [authority] *authorities*.

''(B) AUTHORIZATION OF USE OF OTHER FEDERAL AGENCY FUNDS.—Amounts made available to agencies other than the Bureau of Reclamation may *also* be used to carry out this Act.

''(C) ADDITIONAL FUNDING REQUESTS.—Nothing in this subsection prohibits the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe from applying for, seeking, or obtaining amounts from the Federal agencies referred to in paragraph (1) for any other purpose.

''(c) UPGRADING STANDARDS FOR CONNECTING HOMES.—The Director of the Bureau of Indian Affairs shall, through the use of existing programs and annual appropriations, assist the Secretary in completing the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System by constructing, repairing, and upgrading plumbing fixtures, skirting, and other necessary features, such as septic tanks and drainfields, to ensure that houses within the service areas are able to meet the standards for connecting to those water systems.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) PLANNING, DESIGN, AND CONSTRUCTION.—Section 10(a) of the Mni Wiconi Project Act of 1988 (Public Law 100–516; 102 Stat. 2571; 108 Stat. 4545; 116 Stat. 3033; 121 Stat. 1954) is amended—

(1) in the first sentence, by striking ''and $58,800,000 (based on October 1, 1997 price levels)'' and inserting '', $58,800,000 (based on October 1, 1997 price levels), and $14,308,000 (based on October 1, 2011 price levels)'';

(2) in the second sentence, by striking ''2013'' and inserting ''2016''; and

(3) in the third sentence, by striking ''and October 1, 1997 (with respect to the $58,800,000)'' and inserting '', October 1, 1997 (with respect to the $58,800,000), and October 1, 2011 (with respect to the $14,308,000)''.

(b) OPERATION AND MAINTENANCE OF OGLALA SIOUX RURAL WATER SUPPLY SYSTEM, ROSEBUD SIOUX RURAL WATER SUPPLY SYSTEM, AND LOWER BRULE SIOUX WATER SUPPLY SYSTEM.—Section 10(b) of the Mni Wiconi Project Act of 1988 (Public Law 100–516; 102 Stat. 2571; 108 Stat. 4545) is amended—

(1) in the first sentence, by striking ''There are'' and inserting the following:

''(1) OPERATION AND MAINTENANCE.—

''(A) IN GENERAL.—There are'';

(2) in the second sentence, by striking ''The operation'' and inserting the following:

''(B) WEST RIVER AND LYMAN-JONES RURAL WATER SYSTEMS.—

''(i) IN GENERAL.—The operation'';

(3) in the third sentence, by striking ''Such fee'' and inserting the following:

''(ii) FEE BASIS.—The fee described in clause (i)'';

(4) in the fourth sentence, by striking ''Such operation and maintenance payments'' and inserting the following:

''(iii) ADJUSTMENT OF PAYMENTS.—The operation and maintenance payments under this subparagraph''; and

(5) by adding after paragraph (1) (as so designated) the following:

''(2) COMMUNITY WATER SYSTEMS UPGRADES.—

[''(A) IN GENERAL.—Not later than 5 years after the date of enactment of the Mni Wiconi Project Act Amendments of 2013, each public or tribal water system that is in existence on the date of enactment of this paragraph shall be transferred to the applicable rural water supply system, to be held in trust by the United States for the benefit of the applicable Indian tribe, on the request of the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe, as applicable, and the owner of the water system.]

''(A) IN GENERAL.—After the date on which public or tribal water systems on the Pine Ridge

Indian Reservation, the Rosebud Indian Reservation, and the Lower Brule Indian Reservation that are in existence on the date of enactment of this paragraph have been brought up to the standards for the water systems established in the plans developed under section 3C(a), but not later than 15 years after the date of enactment of this paragraph, title to each of the water systems shall be transferred to the United States, to be held in trust for the benefit of the applicable Indian tribe, on the request of the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe, as applicable, and the owner of the water system.

''(B) IMPROVEMENTS AND REPAIRS AND REPLACEMENT.—The Secretary shall use amounts authorized to be appropriated under paragraph (1) for the improvement, repair, and replacement of any water system that is transferred or [proposed to be transferred] *proposed, by request of the owner of the water system, to be transferred and improved* under subparagraph (A).''.

A bill (S. 1800) to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bureau of Reclamation Transparency Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the water resources infrastructure of the Bureau of Reclamation provides important benefits related to irrigated agriculture, municipal and industrial water, hydropower, flood control, fish and wildlife, and recreation in the 17 Reclamation States;

(2) as of 2013, the combined replacement value of the infrastructure assets of the Bureau of Reclamation was $94,500,000,000;

(3) the majority of the water resources infrastructure facilities of the Bureau of Reclamation are at least 60 years old;

(4) the Bureau of Reclamation has previously undertaken efforts to better manage the assets of the Bureau of Reclamation, including an annual review of asset maintenance activities of the Bureau of Reclamation known as the ''Asset Management Plan''; and

(5) actionable information on infrastructure conditions at the asset level, including information on maintenance needs at individual assets due to aging infrastructure, is needed for Congress to conduct oversight of Reclamation facilities and meet the needs of the public.

SEC. 3. DEFINITIONS.

In this Act:

(1) ASSET.—

(A) IN GENERAL.—The term ''asset'' means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) INCLUSIONS.—The term ''asset'' includes assets described in subparagraph (A) that are considered to be mission critical.

(2) ASSET MANAGEMENT REPORT.—The term ''Asset Management Report'' means—

(A) the annual plan prepared by the Bureau of Reclamation known as the ''Asset Management Plan''; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term ''major repair and rehabilitation need'' means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) RECLAMATION FACILITY.—The term ''Reclamation facility'' means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) RECLAMATION PROJECT.—The term ''Reclamation project'' means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) RESERVED WORKS.—The term ''reserved works'' means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) TRANSFERRED WORKS.—The term ''transferred works'' means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

SEC. 4. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.—

(1) IN GENERAL.—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) INCLUSIONS.—To the extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) RATING REQUIREMENTS.—

(A) IN GENERAL.—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) PUBLIC AVAILABILITY.—Except as provided in paragraph (5), the Secretary shall make publically available, including on the Internet, the Asset Management Report required under subsection (a).

(5) CONFIDENTIALITY.—Subject to the discretion of the Secretary, the Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) UPDATES.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 5(b)(2).

(d) CONSULTATION.—The Secretary shall consult with the Secretary of the Army (acting through the Chief of Engineers) to the extent that the consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c).

SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) IN GENERAL.—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to the condition of, and planned maintenance for, transferred works that are similar to the reporting requirements described in section 4(b)

(b) GUIDANCE.—

(1) IN GENERAL.—After considering input from water and power contractors of the Bureau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for reserved works developed under section 4(b)(3).

(2) UPDATES.—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 4(c).

Mr. PRYOR. I ask unanimous consent that the committee-reported amendments be considered; that the Johnson amendment relative to S. 684 and the Barrasso amendment relative to S. 1800, which are at the desk, be agreed to; that the committee-reported amendments, as amended, be agreed to, and the bills, as amended, be read a third time and passed en bloc.

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

The amendment (No. 4122) was agreed to, as follows:

(Purpose: To provide an offset)

At the end of the bill, add the following:

SEC. ____. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $15,000,000.

The committee-reported amendments, as amended, were agreed to.

The bill (S. 684), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 684

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 ''Mni Wiconi Project Act Amendments of 2013''.

SEC. 2. OTHER AGENCY ASSISTANCE.

The Mni Wiconi Project Act of 1988 (Public Law 100–516; 102 Stat. 2566; 108 Stat. 4543) is amended by inserting after section 3B the following:

''SEC. 3C. PLANS FOR COMPLETING THE OGLALA SIOUX RURAL WATER SUPPLY SYSTEM, ROSEBUD SIOUX RURAL WATER SYSTEM, AND LOWER BRULE SIOUX RURAL WATER SYSTEM.

''(a) PLANS FOR COMPLETION.—

''(1) IN GENERAL.—In consultation with the Oglala Sioux Tribe, the Rosebud Sioux Tribe, and the Lower Brule Sioux Tribe, as applicable, and the Federal agency heads listed in subsection (b)(1), the Secretary shall develop plans to complete the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System.

''(2) CONTENTS.—The plan for each water supply system described in paragraph (1) shall require—

''(A) the completion of remaining components of the applicable system in accordance with the Final Engineering Report dated May 1993;

''(B) the improvement, repair, and replacement of existing water systems; and

''(C) the transfer of those existing water systems to the United States, to be held in trust for the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe, as applicable, and made part of the applicable rural water system.

''(3) SUBMISSION TO CONGRESS.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

''(A) a copy of each plan developed under this subsection, including a schedule for full implementation of the plan that shall not exceed a period of 15 years after the date of enactment of this section;

''(B) a report that includes—

''(i) a description of the roles and responsibilities of each of the heads of the Federal agencies listed in subsection (b)(1) (including the Commissioner of the Bureau of Reclamation) relating to the completion of the water supply systems, including with respect to the improvement, repair, and replacement of the existing water systems before and after transfer;

''(ii) the program authorities of each Federal agency listed in subsection (b)(1) and a description of how the heads of the Federal agencies will work together to complete and implement the plans; and

''(iii) the amount of funding and any other need the Secretary determines to be necessary to complete and implement the plans; and

''(C) as applicable, a description of the roles and responsibilities of the heads of other Federal agencies that have existing authorities to provide assistance to the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe.

''(b) INTERAGENCY AGREEMENTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into agreements with the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Secretary of Housing and Urban Development—

''(A) to fulfill the trust responsibility of the United States; and

''(B) to complete the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System in accordance with the Final Engineering Report dated May 1993, including the transfer of existing water systems, as set forth in the plans for completion developed under subsection (a).

''(2) COOPERATION.—

''(A) IN GENERAL.—The heads of the Federal agencies described in paragraph (1) shall assist the Secretary in completing the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System pursuant to sections 3(a), 3A(a), and 3B(a), respectively, including by—

''(i) improving, repairing, and replacing existing water systems as set forth in the plans developed under subsection (a); and

''(ii) constructing new rural water facilities, service lines, and other necessary features.

''(B) ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.—The Administrator of the Environmental Protection Agency shall assist the Secretary in meeting the environmental and safe drinking water needs of the Pine Ridge Indian Reservation, the Rosebud Indian Reservation, and the Lower Brule Indian Reservation, including through compliance with the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

''(C) SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services shall assist the Secretary in meeting the water supply and public health needs of the Pine Ridge Indian Reservation, the Rosebud Indian Reservation, and the Lower Brule Indian Reservation, including through compliance with the Act of August 5, 1954 (commonly known as the 'Indian Sanitation Facilities Act') (42 U.S.C. 2001 et seq.).

''(D) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—The Secretary of Housing and Urban Development shall assist the Secretary by carrying out projects to connect houses that are eligible for funding from the Department of Housing and Urban Development on the reservations of the Oglala Sioux Tribe, the Rosebud Sioux Tribe, and the Lower Brule Sioux Tribe, through plumbing, water pipes, appurtenances, and interconnections to the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System, respectively, to meet the water conservation standards of those water supply systems.

''(3) LIVESTOCK DISTRIBUTION SYSTEMS.—

''(A) IN GENERAL.—The Secretary and the Secretary of Agriculture shall, through the use of authorities of the Bureau of Indian Affairs and the Department of Agriculture, respectively, complete, during a period not to exceed 15 years after the date of enactment of this section, the livestock distribution system for the Oglala Sioux Rural Water Supply System and the Rosebud Sioux Rural Water System, consistent with the Final Engineering Report dated May 1993.

''(B) ADMINISTRATION.—For each water supply system described in subparagraph (A), the Secretary shall enter into agreements with the Secretary of Agriculture and the Director of the Bureau of Indian Affairs that set forth the specific responsibilities of each agency concerning the construction of the livestock distribution systems.

''(4) LEAD AGENCY.—The Department of the Interior, acting through the Bureau of Reclamation, shall act as the lead agency in carrying out this section.

''(5) ADMINISTRATION.—

''(A) IN GENERAL.—Each agency head shall carry out the duties of the agency head under this subsection out of amounts made available to the agency head under annual appropriations and existing authorities.

''(B) AUTHORIZATION OF USE OF OTHER FEDERAL AGENCY FUNDS.—Amounts made available to agencies other than the Bureau of Reclamation may also be used to carry out this Act.

''(C) ADDITIONAL FUNDING REQUESTS.—Nothing in this subsection prohibits the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe from applying for, seeking, or obtaining amounts from the Federal agencies referred to in paragraph (1) for any other purpose.

''(c) UPGRADING STANDARDS FOR CONNECTING HOMES.—The Director of the Bureau of Indian Affairs shall, through the use of existing programs and annual appropriations, assist the Secretary in completing the Oglala Sioux Rural Water Supply System, the Rosebud Sioux Rural Water System, and the Lower Brule Sioux Rural Water System by constructing, repairing, and upgrading plumbing fixtures, skirting, and other necessary features, such as septic tanks and drainfields, to ensure that houses within the service areas are able to meet the standards for connecting to those water systems.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) PLANNING, DESIGN, AND CONSTRUCTION.—Section 10(a) of the Mni Wiconi Project Act of 1988 (Public Law 100–516; 102 Stat. 2571; 108 Stat. 4545; 116 Stat. 3033; 121 Stat. 1954) is amended—

(1) in the first sentence, by striking ''and $58,800,000 (based on October 1, 1997 price levels)'' and inserting '', $58,800,000 (based on October 1, 1997 price levels), and $14,308,000 (based on October 1, 2011 price levels)'';

(2) in the second sentence, by striking ''2013'' and inserting ''2016''; and

(3) in the third sentence, by striking ''and October 1, 1997 (with respect to the $58,800,000)'' and inserting '', October 1, 1997 (with respect to the $58,800,000), and October 1, 2011 (with respect to the $14,308,000)''.

(b) OPERATION AND MAINTENANCE OF OGLALA SIOUX RURAL WATER SUPPLY SYSTEM, ROSEBUD SIOUX RURAL WATER SUPPLY SYSTEM, AND LOWER BRULE SIOUX WATER SUPPLY SYSTEM.—Section 10(b) of the Mni Wiconi Project Act of 1988 (Public Law 100–516; 102 Stat. 2571; 108 Stat. 4545) is amended—

(1) in the first sentence, by striking ''There are'' and inserting the following:

''(1) OPERATION AND MAINTENANCE.—

''(A) IN GENERAL.—There are'';

(2) in the second sentence, by striking ''The operation'' and inserting the following:

''(B) WEST RIVER AND LYMAN-JONES RURAL WATER SYSTEMS.—

''(i) IN GENERAL.—The operation'';

(3) in the third sentence, by striking ''Such fee'' and inserting the following:

''(ii) FEE BASIS.—The fee described in clause (i)'';

(4) in the fourth sentence, by striking ''Such operation and maintenance payments'' and inserting the following:

''(iii) ADJUSTMENT OF PAYMENTS.—The operation and maintenance payments under this subparagraph''; and

(5) by adding after paragraph (1) (as so designated) the following:

''(2) COMMUNITY WATER SYSTEMS UPGRADES.—

''(A) IN GENERAL.—After the date on which public or tribal water systems on the Pine Ridge Indian Reservation, the Rosebud Indian Reservation, and the Lower Brule Indian Reservation that are in existence on the date of enactment of this paragraph have been brought up to the standards for the water systems established in the plans developed under section 3C(a), but not later than 15 years after the date of enactment of this

paragraph, title to each of the water systems shall be transferred to the United States, to be held in trust for the benefit of the applicable Indian tribe, on the request of the Oglala Sioux Tribe, the Rosebud Sioux Tribe, or the Lower Brule Sioux Tribe, as applicable, and the owner of the water system.

''(B) IMPROVEMENTS AND REPAIRS AND REPLACEMENT.—The Secretary shall use amounts authorized to be appropriated under paragraph (1) for the improvement, repair, and replacement of any water system that is transferred or proposed, by request of the owner of the water system, to be transferred and improved under subparagraph (A).''.

SEC. 4. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $15,000,000.

The amendment (No. 4123) was agreed to, as follows:

(Purpose: To provide an offset)

At the end of the bill, add the following:

SEC. ___. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $2,000,000.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1800), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1800

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 ''Bureau of Reclamation Transparency Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the water resources infrastructure of the Bureau of Reclamation provides important benefits related to irrigated agriculture, municipal and industrial water, hydropower, flood control, fish and wildlife, and recreation in the 17 Reclamation States;

(2) as of 2013, the combined replacement value of the infrastructure assets of the Bureau of Reclamation was $94,500,000,000;

(3) the majority of the water resources infrastructure facilities of the Bureau of Reclamation are at least 60 years old;

(4) the Bureau of Reclamation has previously undertaken efforts to better manage the assets of the Bureau of Reclamation, including an annual review of asset maintenance activities of the Bureau of Reclamation known as the ''Asset Management Plan''; and

(5) actionable information on infrastructure conditions at the asset level, including information on maintenance needs at individual assets due to aging infrastructure, is needed for Congress to conduct oversight of Reclamation facilities and meet the needs of the public.

SEC. 3. DEFINITIONS.

In this Act:

(1) ASSET.—

(A) IN GENERAL.—The term ''asset'' means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) INCLUSIONS.—The term ''asset'' includes assets described in subparagraph (A) that are considered to be mission critical.

(2) ASSET MANAGEMENT REPORT.—The term ''Asset Management Report'' means—

(A) the annual plan prepared by the Bureau of Reclamation known as the ''Asset Management Plan''; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term ''major repair and rehabilitation need'' means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) RECLAMATION FACILITY.—The term ''Reclamation facility'' means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) RECLAMATION PROJECT.—The term ''Reclamation project'' means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) RESERVED WORKS.—The term ''reserved works'' means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) TRANSFERRED WORKS.—The term ''transferred works'' means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

SEC. 4. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.—

(1) IN GENERAL.—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) INCLUSIONS.—To the extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) RATING REQUIREMENTS.—

(A) IN GENERAL.—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) PUBLIC AVAILABILITY.—Except as provided in paragraph (5), the Secretary shall make publically available, including on the Internet, the Asset Management Report required under subsection (a).

(5) CONFIDENTIALITY.—Subject to the discretion of the Secretary, the Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) UPDATES.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 5(b)(2).

(d) CONSULTATION.—The Secretary shall consult with the Secretary of the Army (acting through the Chief of Engineers) to the extent that the consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c).

SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) IN GENERAL.—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to the condition of, and planned maintenance for, transferred works that are similar to the reporting requirements described in section 4(b).

(b) GUIDANCE.—

(1) IN GENERAL.—After considering input from water and power contractors of the Bureau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for reserved works developed under section 4(b)(3).

(2) UPDATES.—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 4(c).

SEC. 6. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by

section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by $2,000,000.

RECOGNIZING NOBEL LAUREATES KAILASH SATYARTHI AND MALALA YOUSAFZAI

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 648, S. Res. 595.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 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.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble.

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

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 Children's Fund estimates that 101,000,000 children are not in school;

Whereas Kailash Satyarthi and his organization, Bachpan Bachao Andolan, have 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 opportunity of all children to have access to 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.

Mr. PRYOR. Mr. President, I ask unanimous consent that the committee-reported amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 595), as amended, was agreed to.

The committee-reported amendment in the nature of a substitute to the preamble was agreed to.

The preamble, as amended, was agreed to.

CELEBRATING THE 100TH ANNIVERSARY OF THE BIRTH OF JAMES CLEVELAND ''JESSE'' OWENS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 226, and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 226) celebrating the 100th anniversary of the birth of James Cleveland ''Jesse'' Owens.

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

Mr. PRYOR. Mr. President, I ask unanimous consent that the resolution be agreed to, the Brown amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 226) was agreed to.

The amendment (No. 4126) was agreed to, as follows:

(Purpose: To amend the preamble)

In the 12th whereas clause of the preamble, strike ''President Franklin D. Roosevelt'' and all that follows through ''President Dwight D. Eisenhower'' and insert ''the 32nd President of the United States or the 33rd President of the United States, but was later recognized in 1955 by the 34th President of the United States''.

In the 15th whereas clause of the preamble, strike ''President Gerald R. Ford'' and all that follows through ''President George H.W. Bush'' and insert ''the 38th President of the United States in 1976 and the Living Legend Award by the 39th President of the United States in 1979, and was posthumously awarded the Congressional Gold Medal by the 41st President of the United States''.

The preamble, as amended, was agreed to.

The resolution and preamble, as amended, is as follows:

(The resolution will be printed in a future edition of the RECORD.)

HONORING CONSERVATION ON THE CENTENNIAL OF THE PASSENGER PIGEON EXTINCTION

Mr. PRYOR. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of S. Res. 564 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 564) honoring conservation on the centennial of the passenger pigeon extinction.

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

Mr. PRYOR. I ask unanimous consent that the amendment to the resolution that is at the desk be agreed to; the resolution, as amended, be agreed to; the amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 4124) was agreed to, as follows:

(Purpose: To amend the resolving clause)

In the resolving clause, insert ''balanced and responsible'' before ''conservation''.

The resolution (S. Res. 564), as amended, was agreed to.

The amendment (No. 4125) was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the first whereas clause of the preamble.

In the third whereas clause of the preamble, strike ''as a cautionary tale and raise awareness of current issues related to human-caused extinction,'' and insert ''to encourage communities to''.

The preamble, as amended, was agreed to.

The resolution, as amended, and the preamble, as amended, read as follows:

S. RES. 564

Whereas the death of Martha, the last passenger pigeon, on September 1, 1914, at the Cincinnati Zoo, and the extinction of the passenger pigeon helped to catalyze the American conservation movement of the early 20th century, resulting in new laws and practices that prevented the extinction of many species;

Whereas the story of the passenger pigeon can serve as a to encourage communities to explore connections between humans and the natural world, and inspire people to build sustainable relationships with other species;

Whereas the passenger pigeon (Ectopistes migratorius) was once the most abundant bird in North America, with a population exceeding 3,000,000,000 and with flocks so large that they could darken the skies for hours and even days at a time;

Whereas due to unregulated market hunting in the 19th century and deforestation, the passenger pigeon population plummeted toward extinction;

Whereas Project Passenger Pigeon, a consortium of over 150 institutions, scientists, conservationists, educators, artists, musicians, filmmakers, and others throughout the Nation, is using the centenary of the extinction of the species to tell the story of the passenger pigeon; and

Whereas the story of the passenger pigeon, once a symbol of never-ending natural abundance, and its subsequent extinction is unique in the annals of the history of the United States: Now, therefore, be it

Resolved, That the Senate commemorates the importance of this centenary, our natural heritage, the sustainability of our ecosystem, and the balanced and responsible conservation of our Nation's wildlife.

PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE SECOND SESSION OF THE ONE HUNDRED THIRTEENTH CONGRESS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 125, which was received from the House and is at the desk.

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

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 125) providing for the sine die adjournment of the second session of the One Hundred Thirteenth Congress.

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

Mr. PRYOR. Mr. President, I know of no further debate on this measure.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 125) was agreed to, as follows:

H. CON RES. 125

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday, December 12, 2014, through Wednesday, December 31, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 1 p.m. on Friday, January 2, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Friday, January 2, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, December 12, 2014, through Friday, January 2, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Mr. PRYOR. 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.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican leader, pursuant to the provisions of Public Law 106–398, as amended by Public Law 108–7, and in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the reappointment of the following individuals to serve as members of the United States-China Economic Security Review Commission: Robin Cleveland of Virginia and Dennis Shea of Virginia.

APPOINTMENTS AUTHORITY

Mr. PRYOR. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, and interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

SIGNING AUTHORITY

Mr. PRYOR. I ask unanimous consent that during the adjournment or recess of the Senate from Wednesday, December 17, 2014, through Friday, January 2, 2015, Senators ROCKEFELLER, CARDIN, and LEVIN be authorized to sign duly enrolled bills or joint resolutions.

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

ORDERS FOR TUESDAY, JANUARY 6, 2015

Mr. PRYOR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn sine die under the provisions of H. Con. Res. 125, and when it convenes on Tuesday, January 6, 2015, at 12 noon, pursuant to P.L. 113–201, following the prayer and pledge and following the presentation of the certificates of election and the swearing-in of elected Members, and the required live quorum, 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.

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

ADJOURNMENT SINE DIE

Mr. PRYOR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

The PRESIDING OFFICER. The Chair will exercise its prerogative to express its thanks to the floor staff for their work for the Senate and for the Nation.

There being no objection, the Senate, at 11:25 p.m., adjourned sine die.

NOMINATIONS RETURNED TO THE PRESIDENT

The following nominations transmitted by the President of the United States to the Senate during the second session of the 113th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

AFRICAN DEVELOPMENT BANK

MARCIA DENISE OCCOMY, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS.

AFRICAN DEVELOPMENT FOUNDATION

LINDA THOMAS-GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 2015.

JOHN W. LESLIE, JR., OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2019.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARK D. GEARAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2015.

HEIDI NEEL BIGGS, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2017.

WESTLEY WATENDE OMARI MOORE, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2016.

RICHARD CHRISTMAN, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2017.

SHAMINA SINGH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2014.

SHAMINA SINGH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2019.

DEAN A. REUTER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR

NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING SEPTEMBER 14, 2016.

VICTORIA ANN HUGHES, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2016.

ERIC P. LIU, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 27, 2017.

ROMONIA S. DIXON, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2018.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2018.

DEPARTMENT OF COMMERCE

WILLIE E. MAY, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR STANDARDS AND TECHNOLOGY.

MANSON K. BROWN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

MICHELLE K. LEE, OF CALIFORNIA, TO BE UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

DEPARTMENT OF DEFENSE

ALISSA M. STARZAK, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY.

ELISSA SLOTKIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF EDUCATION

MICHAEL KEITH YUDIN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION.

MASSIE RITSCH, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR COMMUNICATIONS AND OUTREACH, DEPARTMENT OF EDUCATION.

ERICKA M. MILLER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

ROBERT M. GORDON, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR PLANNING, EVALUATION, AND POLICY DEVELOPMENT, DEPARTMENT OF EDUCATION.

DEPARTMENT OF ENERGY

MARC A. KASTNER, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

JONATHAN ELKIND, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS).

MONICA C. REGALBUTO, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

YVETTE ROUBIDEAUX, OF MARYLAND, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS.

MARIA CANCIAN, OF WISCONSIN, TO BE ASSISTANT SECRETARY FOR FAMILY SUPPORT, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

RAFAEL J. LOPEZ, OF MARYLAND, TO BE COMMISSIONER ON CHILDREN, YOUTH , AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF HOMELAND SECURITY

RUSSELL C. DEYO, OF NEW JERSEY, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

LOURDES MARIA CASTRO RAMIREZ, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF JUSTICE

RONALD LEE MILLER, OF KANSAS, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS.

MICHAEL GRECO, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

LORETTA E. LYNCH, OF NEW YORK, TO BE ATTORNEY GENERAL.

DEPARTMENT OF LABOR

ADRI DAVIN JAYARATNE, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF LABOR.

DEPARTMENT OF STATE

CARLOS PASCUAL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES).

GEORGE JAMES TSUNIS, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF NORWAY.

JOHN L. ESTRADA, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TRINIDAD AND TOBAGO.

CASSANDRA Q. BUTTS, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

GENTRY O. SMITH, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE.

STAFFORD FITZGERALD HANEY, OF NEW JERSEY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

CHARLES C. ADAMS, JR., OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND.

PERRY L. HOLLOWAY, OF SOUTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO-OPERATIVE REPUBLIC OF GUYANA.

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

SHEILA GWALTNEY, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

JENNIFER ANN HAVERKAMP, OF INDIANA, TO BE ASSISTANT SECRETARY OF STATE FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS .

NANCY BIKOFF PETTIT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LATVIA.

MICHELE THOREN BOND, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (CONSULAR AFFAIRS).

MARIA ECHAVESTE, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED MEXICAN STATES.

BRIAN JAMES EGAN, OF MARYLAND, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE.

PAUL A. FOLMSBEE, OF OKLAHOMA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI.

MARY CATHERINE PHEE, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH SUDAN.

AZITA RAJI, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWEDEN.

DEPARTMENT OF THE INTERIOR

SUZETTE M. KIMBALL, OF WEST VIRGINIA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY.

DEPARTMENT OF THE TREASURY

LINDA STRUYK MILLSAPS, OF NORTH CAROLINA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2018.

BRODI L. FONTENOT, OF LOUISIANA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY.

RONALD ALAN PEARLMAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2015.

SETH B. CARPENTER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

ADEWALE ADEYEMO, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

ANTONIO F. WEISS, OF NEW YORK, TO BE AN UNDER SECRETARY OF THE TREASURY.

DEPARTMENT OF TRANSPORTATION

THERESE W. MCMILLAN, OF CALIFORNIA, TO BE FEDERAL TRANSIT ADMINISTRATOR.

CARLOS A. MONJE, JR., OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION.

DANIEL R. ELLIOTT III, OF OHIO, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2018.

DEPARTMENT OF VETERANS AFFAIRS

CONSTANCE B. TOBIAS, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS.

ELECTION ASSISTANCE COMMISSION

MATTHEW STUART BUTLER, OF OHIO, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2015.

ENVIRONMENTAL PROTECTION AGENCY

VICTORIA MARIE BAECHER WASSMER, OF ILLINOIS, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY.

THOMAS A. BURKE, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

JANET GARVIN MCCABE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

ANN ELIZABETH DUNKIN, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

JANE TOSHIKO NISHIDA, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

CATHERINE ANN NOVELLI, OF VIRGINIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT MICHAEL SIMON, OF MARYLAND, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

MICHAEL P. BOTTICELLI, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY.

DANIEL HENRY MARTI, OF VIRGINIA, TO BE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR, EXECUTIVE OFFICE OF THE PRESIDENT.

MARISA LAGO, OF NEW YORK, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

FARM CREDIT ADMINISTRATION

DALLAS P. TONSAGER, OF SOUTH DAKOTA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING MAY 21, 2020.

JEFFERY S. HALL, OF KENTUCKY, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING OCTOBER 13, 2018.

FEDERAL DEPOSIT INSURANCE CORPORATION

JAY NEAL LERNER, OF ILLINOIS, TO BE INSPECTOR GENERAL, FEDERAL DEPOSIT INSURANCE CORPORATION.

FEDERAL MARITIME COMMISSION

WILLIAM P. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2018.

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2019.

FEDERAL MEDIATION AND CONCILIATION SERVICES

ALLISON BECK, OF THE DISTRICT OF COLUMBIA, TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR.

FEDERAL MINE SAFETY AND HEALTH ADMINISTRATION

MARY LUCILLE JORDAN, OF MARYLAND, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2020.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

MICHAEL YOUNG, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2020.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

DAVID AVREN JONES, OF CONNECTICUT, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2018 .

MICHAEL D. KENNEDY, OF GEORGIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING SEPTEMBER 25, 2018.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

VICKI MILES-LAGRANGE, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2015.

STEVEN H. COHEN, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2019.

INTER-AMERICAN DEVELOPMENT BANK

MILEYDI GUILARTE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK.

INTER-AMERICAN FOUNDATION

MARK E. LOPES, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2016 .

JUAN CARLOS ITURREGUI, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING JUNE 26, 2014.

JUAN CARLOS ITURREGUI, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING JUNE 26, 2020.

ROBERTA S. JACOBSON, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2014.

ROBERTA S. JACOBSON, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2020.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

MATTHEW T. MCGUIRE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS.

INTERNATIONAL MONETARY FUND

JANET L. YELLEN, OF CALIFORNIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS.

MARK SOBEL, OF VIRGINIA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS.

SUNIL SABHARWAL, OF CALIFORNIA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS.

LEGAL SERVICES CORPORATION

MARTHA L. MINOW, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

JOHN GERSON LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13 , 2014.

HARRY JAMES FRANKLYN KORRELL III, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

JAMES L. HUFFMAN, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2014.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

DAVA J. NEWMAN, OF MASSACHUSETTS, TO BE DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SHELLY COLLEEN LOWE, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

PATRICIA NELSON LIMERICK, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

THOMAS EDGAR ROTHMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

JOHN MAEDA, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

FRANCINE BERMAN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020.

DEBORAH WILLIS, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020.

NATIONAL INDIAN GAMING COMMISSION

JONODEV OSCEOLA CHAUDHURI, OF ARIZONA, TO BE CHAIRMAN OF THE NATIONAL INDIAN GAMING COMMISSION FOR THE TERM OF THREE YEARS.

NATIONAL TRANSPORTATION SAFETY BOARD

CHRISTOPHER A. HART, OF COLORADO, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS.

THO DINH-ZARR, OF TEXAS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2018.

NORTHERN BORDER REGIONAL COMMISSION

MARK SCARANO, OF NEW HAMPSHIRE, TO BE FEDERAL COCHAIRPERSON OF THE NORTHERN BORDER REGIONAL COMMISSION.

OFFICE OF PERSONNEL MANAGEMENT

EARL L. GAY, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT.

OVERSEAS PRIVATE INVESTMENT CORPORATION

CARMEN AMALIA CORRALES, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2015.

DEVEN J. PAREKH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2016.

TODD A. FISHER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2016.

PEACE CORPS

CARLOS J. TORRES, OF VIRGINIA, TO BE DEPUTY DIRECTOR OF THE PEACE CORPS.

RAILROAD RETIREMENT BOARD

WALTER A. BARROWS, OF OHIO, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2019.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

ANTHONY G. COLLINS, OF NEW YORK, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

SECURITIES INVESTOR PROTECTION CORPORATION

LESLIE E. BAINS, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2015.

JOHN E. MENDEZ, OF CALIFORNIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2015.

SMALL BUSINESS ADMINISTRATION

GILBERTO DE JESUS, OF MARYLAND, TO BE CHIEF COUNSEL FOR ADVOCACY, SMALL BUSINESS ADMINISTRATION.

SOCIAL SECURITY ADMINISTRATION

CAROLYN WATTS COLVIN, OF MARYLAND, TO BE COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2019.

ANDREW LAMONT EANES, OF KANSAS, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2019.

THE JUDICIARY

STEVEN M. WELLNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

SHERRY MOORE TRAFFORD, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

WILLIAM WARD NOOTER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

JENNIFER PRESCOD MAY-PARKER, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA.

MICHAEL P. BOGGS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

TODD SUNHWAE KIM, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS.

NANCY B. FIRESTONE, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

THOMAS L. HALKOWSKI, OF PENNSYLVANIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

ARMANDO OMAR BONILLA, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

PATRICIA M. MCCARTHY, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

JERI KAYLENE SOMERS, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

JEANNE E. DAVIDSON, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

ALFRED H. BENNETT, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

GEORGE C. HANKS, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

JOSE ROLANDO OLVERA, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

JILL N. PARRISH, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH.

ROBERT A. SALERNO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

KARA FARNANDEZ STOLL, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

DALE A. DROZD, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA.

LASHANN MOUTIQUE DEARCY HALL, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

ANN DONNELLY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

ROSEANN A. KETCHMARK, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI.

TRAVIS RANDALL MCDONOUGH, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE.

UNITED NATIONS

BENJAMIN L. CARDIN, OF MARYLAND, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-NINTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

RONALD H. JOHNSON, OF WISCONSIN, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-NINTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CAROL LESLIE HAMILTON, OF CALIFORNIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-NINTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

LESLIE BERGER KIERNAN, OF MARYLAND, AS AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA, TO THE SIXTY-NINTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

ALFREDO J. BALSERA, OF FLORIDA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2014.

ALFREDO J. BALSERA, OF FLORIDA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2017.

SIM FARAR, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2015.

SIM FARAR, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2018.

WILLIAM JOSEPH HYBL, OF COLORADO, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2015.

UNITED STATES POSTAL SERVICE

JAMES C. MILLER, III, OF VIRGINIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE TERM EXPIRING DECEMBER 8, 2017.

STEPHEN CRAWFORD, OF MARYLAND, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2015.

DAVID MICHAEL BENNETT, OF NORTH CAROLINA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2018.

VICTORIA REGGIE KENNEDY, OF MASSACHUSETTS, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2016.

MICKEY D. BARNETT, OF NEW MEXICO, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2020.

DAVID S. SHAPIRA, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2019.

IN THE AIR FORCE

AIR FORCE NOMINATION OF COLONEL MARK A. BAIRD, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COLONEL ANDREW E. SALAS, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATIONS BEGINNING WITH COLONEL MARK W. ANDERSON AND ENDING WITH COLONEL FRANK H. STOKES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2014.

AIR FORCE NOMINATION OF COL. DENNIS D. GRUNSTAD II, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF MAJ. GEN. CHARLES Q. BROWN, JR., TO BE LIEUTENANT GENERAL.

AIR FORCE NOMINATION OF COL. JAMES J. BURKS, TO BE BRIGADIER GENERAL.

IN THE ARMY

ARMY NOMINATION OF COLONEL LEELA J. GRAY, TO BE BRIGADIER GENERAL.

ARMY NOMINATION OF BRIGADIER GENERAL MATTHEW P. BEEVERS, TO BE MAJOR GENERAL.

ARMY NOMINATION OF BRIGADIER GENERAL ERIC C. BUSH, TO BE MAJOR GENERAL.

ARMY NOMINATION OF COL. MARTA CARCANA, TO BE BRIGADIER GENERAL.

ARMY NOMINATION OF COL. RONALD P. CLARK, TO BE BRIGADIER GENERAL.

ARMY NOMINATION OF COLONEL BARRY K. TAYLOR, TO BE BRIGADIER GENERAL .

ARMY NOMINATION OF COL. EDWARD E. HILDRETH III, TO BE BRIGADIER GENERAL.

IN THE COAST GUARD

COAST GUARD NOMINATION OF REAR ADM. THOMAS P. OSTEBO, TO BE VICE ADMIRAL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF MAJ. GEN. MICHAEL R. REGNER, TO BE LIEUTENANT GENERAL.

IN THE NAVY

NAVY NOMINATION OF CAPT. MICHELLE C. SKUBIC, TO BE REAR ADMIRAL (LOWER HALF).

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH KEITH L. CLARK AND ENDING WITH JENNIE LEIGH L. STODDART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 3, 2014.

AIR FORCE NOMINATIONS BEGINNING WITH TALIB Y. ALI AND ENDING WITH GABRIEL ZIMMERER, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 3, 2014.

AIR FORCE NOMINATIONS BEGINNING WITH BAMIDELE A. ADETUNJI AND ENDING WITH KERI L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 3, 2014.

AIR FORCE NOMINATIONS BEGINNING WITH TRAVIS M. ALLEN AND ENDING WITH JEROMY JAMES WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 3, 2014.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD S. BEYEA III AND ENDING WITH TRAVIS C. YELTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 3, 2014.

IN THE ARMY

ARMY NOMINATION OF RODNEY E. GARFIELD, TO BE COLONEL.

ARMY NOMINATION OF ROBERT H. MCCARTHY III, TO BE COLONEL.

ARMY NOMINATION OF CLARENCE E. DINGMAN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH STEVEN R. BERGER AND ENDING WITH FRANK A. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2014.

ARMY NOMINATIONS BEGINNING WITH STEVEN R. ANSLEY, JR. AND ENDING WITH KAREN M. WRANCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2014.

ARMY NOMINATION OF RACHEL S. THEISEN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH TREAVOR J. BELLANDI AND ENDING WITH WILLIAM D. ROSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2014.

ARMY NOMINATION OF SPENCER T. PRICE, TO BE COLONEL.

ARMY NOMINATION OF PAUL V. RAHM, TO BE COLONEL.

ARMY NOMINATION OF MICHELE M. SPENCER, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH LESLEY A. WATTS AND ENDING WITH ROY WILMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 17, 2014.

ARMY NOMINATION OF JERRY L. TOLBERT, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH TIMOTHY A. DOHERTY AND ENDING WITH CRAIG A. YUNKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 17, 2014.

ARMY NOMINATION OF JACOB A. JOHNSON, TO BE COLONEL.

ARMY NOMINATION OF RAYMOND L. PHUA, TO BE COLONEL.

ARMY NOMINATION OF SUSAN R. CLOFT, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ROGER S. GIRAUD AND ENDING WITH NEIL I. NELSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

ARMY NOMINATION OF MARION A. ALSTON, TO BE MAJOR.

ARMY NOMINATION OF STEVEN A. BREWER, TO BE MAJOR.

ARMY NOMINATION OF JAMES LAWHORN, JR., TO BE MAJOR.

ARMY NOMINATION OF FRANCIS J. RACIOPPI, JR., TO BE MAJOR.

IN THE FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SUSAN K. BREMS AND ENDING WITH R. DOUGLASS ARBUCKLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.

FOREIGN SERVICE NOMINATION OF AARON SCHUBERT.

FOREIGN SERVICE NOMINATION OF DOUGLAS A. KONEFF.

FOREIGN SERVICE NOMINATION OF DANIEL MENCO HIRSCH.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BRUCE MATTHEWS AND ENDING WITH BRIAN STEPHEN ZELAKIEWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ALEXIOUS BUTLER AND ENDING WITH NAIDA ZECEVIC BEAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CRAIG A. ANDERSON AND ENDING WITH HENRY KAMINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ADAM MICHAEL BRANSON AND ENDING WITH MARC C. GILKEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2014.

IN THE NAVY

NAVY NOMINATION OF JUSTIN C. LEGG, TO BE LIEUTENANT COMMANDER.

DISCHARGED NOMINATION

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nomination unanimous consent and the nomination was confirmed:

MICHAEL P. O'RIELLY, OF NEW YORK, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2014.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 16, 2014:

INTER–AMERICAN DEVELOPMENT BANK

MARK E. LOPES, OF ARIZONA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTER–AMERICAN DEVELOPMENT BANK FOR A TERM OF THREE YEARS.

DEPARTMENT OF ENERGY

CHRISTOPHER SMITH, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY).

DEPARTMENT OF EDUCATION

JAMES COLE, JR., OF NEW YORK, TO BE GENERAL COUNSEL, DEPARTMENT OF EDUCATION.

DEPARTMENT OF STATE

FRANK A. ROSE, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE).

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING MAY 26, 2019.

MARK THOMAS NETHERY, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2018.

ANNE J. UDALL, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2016.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

RICHARD J. ENGLER, OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

DEPARTMENT OF JUSTICE

JOHN CHARLES CRUDEN, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

CAMILLA C. FEIBELMAN, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING APRIL 15, 2017.

ELECTION ASSISTANCE COMMISSION

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2017.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

PAIGE EVE ALEXANDER, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF THE INTERIOR

ESTEVAN R. LOPEZ, OF NEW MEXICO, TO BE COMMISSIONER OF RECLAMATION.

LEGAL SERVICES CORPORATION

MARTHA L. MINOW, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2017.

CHARLES NORMAN WILTSE KECKLER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016.

GLORIA VALENCIA–WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2017.

JOHN GERSON LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13 , 2017.

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13 , 2017.

BROADCASTING BOARD OF GOVERNORS

KAREN KORNBLUH, OF NEW YORK, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2016.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JONATHAN NICHOLAS STIVERS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF COMMERCE

MARCUS DWAYNE JADOTTE, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF VETERANS AFFAIRS

HELEN TIERNEY, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF VETERANS AFFAIRS.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

MANUEL H. EHRLICH, JR., OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS .

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

DANIEL J. SANTOS, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2017.

DEPARTMENT OF JUSTICE

ARTHUR LEE BENTLEY III, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS.

THE JUDICIARY

STEPHEN R. BOUGH, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI.

DEPARTMENT OF JUSTICE

DAVID RIVERA, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS.

THE JUDICIARY

JORGE LUIS ALONSO, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

HAYWOOD STIRLING GILLIAM, JR., OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

AMIT PRIYAVADAN MEHTA, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

ALLISON DALE BURROUGHS, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.

JOHN ROBERT BLAKEY, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

AMOS L. MAZZANT, III, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS.

ROBERT LEE PITMAN, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS.

ROBERT WILLIAM SCHROEDER III, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

NICHOLAS J. RASMUSSEN, OF VIRGINIA, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

DEPARTMENT OF HOMELAND SECURITY

SARAH R. SALDANA, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY.

ELECTION ASSISTANCE COMMISSION

MATTHEW VINCENT MASTERSON, OF OHIO, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2017.

CHRISTY A. MCCORMICK, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2015.

DEPARTMENT OF STATE

JESS LIPPINCOTT BAILY, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MACEDONIA.

ROBERT FRANCIS CEKUTA, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

MARGARET ANN UYEHARA, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONTENEGRO.

RICHARD M. MILLS, JR., OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA.

UNITED NATIONS

ISOBEL COLEMAN, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE

UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

ISOBEL COLEMAN, OF NEW YORK, AS AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM.

DEPARTMENT OF VETERANS AFFAIRS

LEIGH A. BRADLEY, OF VIRGINIA, TO BE GENERAL COUNSEL, DEPARTMENT OF VETERANS AFFAIRS.

DEPARTMENT OF DEFENSE

ROBERT M. SCHER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DAVID J. BERTEAU, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF TRANSPORTATION

MARK R. ROSEKIND, OF CALIFORNIA, TO BE ADMINISTRATOR OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

FEDERAL ENERGY REGULATORY COMMISSION

COLETTE DODSON HONORABLE, OF ARKANSAS, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2017.

THE JUDICIARY

JOAN MARIE AZRACK, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

ELIZABETH K. DILLON, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.

LORETTA COPELAND BIGGS, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.

DEPARTMENT OF STATE

ANTONY BLINKEN, OF NEW YORK, TO BE DEPUTY SECRETARY OF STATE.

LEGAL SERVICES CORPORATION

LAURIE I. MIKVA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016.

VICTOR B. MADDOX, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016.

JOSEPH PIUS PIETRZYK, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2017.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

JAMES L. HUFFMAN, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2020.

FEDERAL COMMUNICATIONS COMMISSION

MICHAEL P. O'RIELLY, OF NEW YORK, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2014.