

NATIONAL DEFENSE  
AUTHORIZATION ACT

Mr. NELSON. Madam President, the Fiscal Year 2014 National Defense Authorization Act makes essential improvements for the well-being of the men and women serving in our armed services. It also seeks to ease the transition from active duty to veteran status for servicemembers by calling on the Department of Defense and the Department of Veterans' Affairs to fix the lack of communication between their electronic health records. This provision and countless others are why I was pleased to see this legislation pass last night with overwhelming bipartisan support. Unfortunately I was unable to record my vote but had I been in the Chamber I would have voted in favor of this important piece of legislation. I supported this legislation when it was reported out of the Armed Services Committee. I would also like to thank Senator LEVIN and Senator INHOFE for their tireless efforts to complete this bill and fulfill our commitments to the men and women serving our country.

Mr. WARNER. Madam President, I would like to call attention to a provision within the National Defense Authorization Act for Fiscal Year 2014.

I would like to thank Chairman LEVIN, Ranking Member INHOFE, Chairman MCKEON, and Ranking Member SMITH, for including in this year's National Defense Authorization Act my amendment, with Senators COLLINS, KAINE, and GRASSLEY, to expand whistleblower and enhance protections for servicemembers who alert authorities to misconduct that includes sexual assaults and other sexual misconduct. I would like to thank my colleagues, Senators COLLINS, KAINE and GRASSLEY, for their partnership in winning this breakthrough in newly-strengthened free speech rights for our troops when they defend accountability in the military services. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, "when appropriate." There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

Mr. UDALL of Colorado. Madam President, I rise today to welcome the

final passage of the 2014 National Defense Authorization Act—frequently referred to as the NDAA. I would like to thank Armed Services Committee Chairman LEVIN and Ranking Member INHOFE, as well as Chairman MCKEON and Ranking Member SMITH in the House of Representatives, for their tireless and collaborative efforts in securing this critical piece of legislation. Although the NDAA did not go through the optimal amendment process, its passage today extends the necessary authorities to implement our national security strategy and support and protect Colorado's military community. As we head into the second session of the 113th Congress, I hope that we will remain mindful of the importance of a full and robust debate and ensure that the 2015 NDAA is open to amendments on the floor of the Senate.

As the chairman of the Strategic Forces Subcommittee, I also want to thank my friend and colleague on the committee, Ranking Member SESSIONS. Senator SESSIONS has a long tenure on the subcommittee, and I have benefited from his experience. I am grateful for the collegiality he has shown over the past year, and I look forward to starting our work together again in the next session.

I would also like to recognize the staff of the subcommittee for their tremendous support and dedication. For Senator SESSIONS and his subcommittee staff, I want to thank Dr. Robert Soofer, who advises on nuclear and missile defense matters, and Daniel Lerner, who advises on space, intelligence and cybersecurity. I also want to thank both Pete Landrum, Senator SESSIONS' senior defense policy adviser and Casey Howard, my military legislative assistant. On my subcommittee staff, Jonathan Epstein, deserves great credit for his work on nuclear weapons, space, and a host of other issues. Richard Fieldhouse, who advises on missile defense, and Kirk McConnell, who assists me on cyber and intelligence, also have my thanks and respect. Finally, special thanks to Lauren Gillis, the subcommittee's staff assistant, for her countless hours of preparation for our hearings, working with witnesses, and organizing our subcommittee markup.

In closing, I would like to highlight one provision of the 2014 NDAA, section 3112, which establishes an Office of Cost Analysis and Program Evaluation in the National Nuclear Security Administration, NNSA. I want to be clear that the establishment of this new office was not meant to in any way alter the responsibilities and oversight of the Naval Reactors Program—a division of the NNSA that has a long track record of producing high quality projects on time and within budget. The Naval Reactors Program has traditionally been semi-independent within the NNSA, being dual hatted with fleet activities of the Navy, whose overall

responsibilities are found and carried out under Executive Order No. 12344. While section 3112 speaks to the NNSA as a whole, it was not our intent to include the Naval Reactors Program under the purview of the new Office of Cost Analysis and Program Evaluation. During the next session, I will work with my colleagues in both the House and the Senate to correct this provision and reflect that intent.

Mr. GRASSLEY. Madam President, it is a great pleasure to thank my colleagues, Senators WARNER, COLLINS, and KAINE, for their partnership in winning this breakthrough in newly-strengthened whistleblower protections for our troops. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, "when appropriate." There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

#### BANGLADESH ELECTIONS

Mr. DURBIN. Madam President, last week Senators ENZI, MURPHY and I introduced a resolution on the political tensions in Bangladesh as that country prepares for a national election on January 5.

Since then, Senators BOXER, BOOZMAN, SHAHEEN, KAINE, BLUNT, and MENEDEZ have also cosponsored and yesterday the Senate Foreign Relations Committee voted unanimously in support of the measure.

The resolution calls for peaceful political dialogue between the country's various political factions in the hopes that the election will go forward in a credible and peaceful manner.

With so much else going on in the world from Ukraine to Iran, one might wonder why focus on elections in Bangladesh?

My interest is in part due to the role of Nobel Prize, Presidential Medal of Freedom, and Congressional Gold Medal winner Professor Mohammad Yunus, whom many may know from his pioneering work to help the world's poor through microfinance programs.

Professor Yunus has done so much to help the poor of Bangladesh and the