

EC-6926. A communication from the Acting Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final priority. Rehabilitation Training: Job-Driven Vocational Rehabilitation Technical Assistance Center" (CFDA No. 84.264A.) received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-6927. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-6928. A communication from the General Manager and Director of Equal Employment Opportunity, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Board's Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 report for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-6929. A communication from the Acting Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal years 2012 and 2013 annual reports relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-6930. A communication from the Deputy Assistant Administrator, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Scheduling of Controlled Substances: Rescheduling of Hydrocodone Combination Products From Schedule III to Schedule II" (Docket No. DEA-389) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2014; to the Committee on the Judiciary.

EC-6931. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption; to the Committee on the Judiciary.

EC-6932. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Community Relations Service for Fiscal Year 2013; to the Committee on the Judiciary.

EC-6933. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Substitution in Case of Death of Claimant" (RIN2900-AN91) received during adjournment of the Senate in the Office of the President of the Senate on September 3, 2014; to the Committee on Veterans' Affairs.

EC-6934. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to the deployment of certain U.S. forces to the Central African Republic, received during adjournment of the Senate on September 11, 2014; to the Committee on Foreign Relations.

## 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-321. A resolution adopted by the Senate of the State of West Virginia urging the United States Congress to begin the process of amending the United States Constitution to provide that corporations are not entitled to the entirety of protections or rights of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech; to the Committee on the Judiciary.

### SENATE RESOLUTION NO. 24

Whereas, In 2010 the United States Supreme Court issued its decision in *Citizens United v. Federal Election Commission*, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

Whereas, This decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for the unlimited corporate spending to influence elections, candidate selection and policy decisions; and

Whereas, In reaching this decision, a narrow majority of the Supreme Court, relying on and expanding prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

Whereas, The Supreme Court relied on other prior decisions which afforded the spending, of money to influence elections the full protection of the First Amendment and disregarded the distorting and corrupting effects of unlimited money in elections; and

Whereas, In his eloquent dissent, Justice John Paul Stevens rightly recognized that, "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often observes as a useful legal fiction; But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and

Whereas, The court's decision in *Citizens United* severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

Whereas, Corporations should not be afforded the entirety of protections or rights of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and

Whereas, In 2012 the same narrow majority of the Supreme Court voted to strike down longstanding campaign finance laws in the State of Montana without hearing any evidence or argument on that state's own history and experience with corporate spending and corruption; and

Whereas, Several proposed amendments to the Constitution have been introduced in Congress that would allow government to regulate the raising and spending of Money by corporations to influence elections; and

Whereas, On Election Day, 2012, over six million voters across the United States, including the states of Colorado and Montana, had the opportunity to vote on state and local ballot measures, calling for a constitutional amendment to limit money in politics, and all proposed initiatives passed overwhelmingly, averaging, seventy-five percent support: Now, therefore, be it

*Resolved by the Senate*, That the Senate opposes the United States Supreme Court is interpretation of the Constitution in *Citizens United v. Federal Election Commission* regarding the constitutional rights of corporations; supports an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections or rights of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech; and calls on Congress to begin the process of amending the Constitution; and be it further

*Resolved*, That the Senate respectfully opposes the United States Supreme Court's interpretation of the Constitution in *Citizens United v. Federal Election Commission* and related cases allowing unlimited corporate election spending; and be it further

*Resolved*, That the Senate supports an amendment to the United States Constitution to establish that corporations are not entitled to the same rights and protection as natural persons under the Constitution; and be it further

*Resolved*, That such an amendment should assure the power of the federal, state and local governments to limit, regulate and require disclosure of sources of all Money spent to influence elections; and be it further

*Resolved*, That the Senate charges the West Virginia Congressional Delegation with the duty to support such an amendment, to work diligently towards its passage and to vote at all stages to advance such legislation in the Congress; and be it further

*Resolved*, That the Senate declares its intention to ratify such an amendment if and when the Congress shall submit it to the states; and be it further

*Resolved*, That the Clerk is hereby directed to deliver a copy of this resolution to the Vice President of the United States and the President pro tempore of the United States Senate, to the Speaker of the House of Representatives, to the Majority and Minority Leaders of both houses of Congress and to each United States Senator and Member of the House of Representatives from West Virginia.

### COMMITTEE SUBSTITUTE FOR SENATE RESOLUTION NO. 24

(By Senators Snyder, Kessler (Mr. President), Beach, Cann, Edgell, Fitzsimmons, Green, Laird, McCabe, Miller, Tucker, Unger, Wells, Yost, Plymale, Palumbo and Williams)

[Originating in the Committee on the Judiciary]

Whereas, In 2010, the United States Supreme Court issued its ruling in *Citizens United v. Federal Election Commission* that enabled corporations and unions, to spend unlimited amounts of money in support of or in opposition to candidates for election; and

Whereas, The people of West Virginia and all other states should have the power to limit by law the extent to which money can be spent in their political systems: Now, therefore, be it

*Resolved by the Senate*, That the Senate hereby calls upon the United States Congress to propose a constitutional amendment addressing the Supreme Court decision in *Citizens United v. Federal Elections Commission*; and be it further

*Resolved*, That the West Virginia Senate supports an amendment to the United States Constitution to establish that corporations and unions are not entitled to the same rights and protections as natural persons under the Constitution; and be it further

*Resolved*, That such an amendment should assure the power of the federal, state and local governments to limit, regulate and require disclosure of sources of all money

spent in the course of political elections; and be it further

*Resolved*, That the West Virginia Senate requests that the West Virginia Congressional Delegation support such an amendment, work diligently towards its passage and vote at all stages to advance such legislation in the Congress; and be it further

*Resolved*, That the Clerk is hereby directed to forward a copy of this resolution to the Vice President of the United States and the President pro Tempore of the United States Senate, to the Speaker of the House of Representatives, to the majority and minority leaders of both houses of Congress and to each United States Senator and Member of the House of Representatives from West Virginia.

POM-322. A resolution adopted by the Legislature of the State of Louisiana urging the Congress of the United States, pursuant to Article V of the United States Constitution, to call a convention of the states for the sole and exclusive purpose of proposing an amendment to the United States Constitution that would provide for a balanced budget; to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTION NO. 70

Whereas, the failure of the federal budget process has produced an enormous federal budget deficit, and growing national debt presently burdens the American people and threatens to burden their descendants for generations to come; and

Whereas, the congressional practice of deficit spending and repeated raising of the ceiling on the federal debt has had the effect of endangering the jobs, incomes, retirement security, welfare, and future of American citizens; and

Whereas, such debt diverts scarce resources from crucial programs to pay interest on the national debt, constricts the ability of the federal government to address long-standing national problems and to respond to new needs, and increases pressures to raise taxes on the American people; and

Whereas, Article V of the Constitution of the United States provides that an amendment to the constitution may be proposed by congress, or on the application of the legislatures of two-thirds of the states, congress is required to call a constitutional convention for the purpose of proposing an amendment, which, in either case, shall become part of the constitution when ratified by three-fourths of the several states: Now, therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby make application to the Congress of the United States to call a convention pursuant to Article V of the Constitution of the United States of America for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States, for submission to the states for ratification, to require that in the absence of a national emergency the total of all federal outlays made by congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

*Resolved*, That this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including but not limited to previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Ohio, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, Tennessee, and Texas; and that this application shall be aggregated with such applications for the purpose of at-

taining the two-thirds of states necessary to require the calling of a convention but shall not be aggregated with applications on any other subject; and be it further

*Resolved*, That certified copies of this Concurrent Resolution be transmitted by the secretary of state to the president and the secretary of the United States Senate, to the speaker and clerk of the United States House of Representatives, to each member of this state's delegation to the congress, and to the presiding officer of each house of each state legislature in the United States, requesting their cooperation; and be it further

*Resolved*, That this application by this legislature supersedes all previous applications by this legislature on this same subject matter and that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made application for a similar convention pursuant to Article V.

POM-323. A resolution adopted by the Legislature of the State of Florida applying to the United States Congress to call a convention of the states, pursuant to Article V of the United States Constitution, for the purpose of proposing amendments to the United States Constitution to provide for a balanced federal budget and limit the ability of Congress to dictate to states requirements for the expenditure of federal funds, and rescinding all previous applications of the State of Florida for the calling of a federal constitutional convention to amend the Constitution of the United States; to the Committee on the Judiciary.

#### SENATE CONCURRENT RESOLUTION 10

Whereas, fiscal discipline and economic integrity have been core principles of American governance, and

Whereas, the American people have historically demanded the same prudent, responsible, and intellectually honest financial behavior from their elected representatives as ultimately compels individual behavior, and

Whereas, it is the firm conviction of the Legislature of the State of Florida that it is wrong to fund the prosperity of the present generation by robbing future Americans of their own, and

Whereas, mortgaging the birthright of our children and grandchildren is a dangerous departure from traditional American values which threatens to permanently undermine the strength of our nation, and

Whereas, the national debt has nearly doubled over the past 8 years and Florida's share of that debt is \$727 billion, more than all Floridians make in wages and salaries in 2 years, and

Whereas, for the nation to pay off the entire federal debt by 2015, Congress would have to triple the federal income taxes of every American and devote the increase exclusively to debt payments, and

Whereas, our debt is increasingly owed to the governments of foreign nations, not to the citizens of the United States; therefore, our wealth is transferred to others and will not be available to supply the means for America's future growth and prosperity, and

Whereas, this generation will bequeath to its children one of the world's most indebted industrial democracies, and

Whereas, high federal deficits cause increasingly high payments for debt interest in the future, make future borrowing more costly, reduce investment activity, and thus reduce the size of the future economy, and

Whereas, the people of Florida recognized the wisdom of fiscal discipline and enshrined in its State Constitution the requirement for

a balanced budget to place a prudent limit on the tendencies of government, and

Whereas, the Florida Legislature has made fiscally responsible decisions, maintaining a balanced budget and saving the citizens of this State from crippling deficits, massive debt burdens, and bankruptcy, and

Whereas, we the Legislature of the State of Florida call for the Constitution of the United States to be amended to require the Federal Government to operate with fiscal responsibility, common sense, and the revenues granted to it by the people, and

Whereas, the Federal Government has for too long relied on revenue increases and borrowing against our future rather than on prudent spending decisions within the limits of current revenues, and

Whereas, lasting resolution of this nation's budget deficit can be achieved only by addressing the spending habits of our Federal Government, not by increasing the tax burden under which our citizens already labor, and

Whereas, Article V of the Constitution of the United States makes provision for amending the Constitution on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments that shall be valid to all intents and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress: Now, therefore, be it

*Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That the Legislature of the State of Florida, with all due respect and great reluctance, does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United States to call an Article V amendments convention for the sole purpose of proposing amendments to the Constitution of the United States:

(1) To achieve and maintain a balanced budget by:

(a) Requiring that such balanced budget account for all obligations of the Federal Government;

(b) Allowing flexibility in federal balanced budget requirements by providing exceptions related to exigencies such as national emergencies or threats to the nation's security;

(c) Imposing spending limits on the Federal Government;

(d) Setting extraordinary vote requirements for new or increased federal taxes and other revenues; and

(e) Prohibiting federal mandates on states to impose taxes or fees.

(2) To control the ability of the Congress and the various federal executive agencies to require states to expend funds by:

(a) Limiting the ability of Congress and the various federal executive agencies to pass legislation requiring states to spend money or to take actions requiring the expenditure of money unless federal funds are provided in ongoing amounts sufficient to offset the full costs of such requirements; and

(b) Limiting the ability of Congress to dictate to states requirements for the expenditure of federal funds other than such requirements as may be necessary to measure outcomes to be achieved through the expenditure of the federal funds, leaving to the several states the ability to decide how to best accomplish those outcomes; and be it further

*Resolved*, That this concurrent resolution supersedes all previous memorials applying to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States, including Senate Memorial

234 and House Memorial 2801, both passed in 1976, and superseded, revoked, and withdrawn in 1988 by Senate Memorial 302, and that such previous memorials are hereby revoked and withdrawn, nullified, and superseded to the same effect as if they had never been passed; and be it further

*Resolved*, That this concurrent resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States for any purpose other than requiring a balanced federal budget or limiting the ability of the Federal Government to require states to spend money; and be it further

*Resolved*, That a copy of this concurrent resolution be dispatched to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officers of each house of the several state legislatures.

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. LANDRIEU for the Committee on Energy and Natural Resources.

\*Elizabeth Sherwood-Randall, of California, to be Deputy Secretary of Energy.

By Mrs. BOXER for the Committee on Environment and Public Works.

\*Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2015.

\*Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2019.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL (for herself and Ms. COLLINS):

S. 2792. A bill to establish a tax credit for on-site apprenticeship programs, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. PAUL, Mr. WYDEN, and Mr. MERKLEY):

S. 2793. A bill to authorize the award of the Medal of Honor to Henry Johnson; to the Committee on Armed Services.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 2794. A bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of overseas excess or surplus property to veteran-owned small businesses; to the Committee on Small Business and Entrepreneurship.

By Ms. BALDWIN (for herself and Mr. KAINE):

S. 2795. A bill to amend the Higher Education Act of 1965 to expand the definition of eligible program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. KAINE):

S. 2796. A bill to amend the Higher Education Act of 1965 to increase the income protection allowances; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN:

S. 2797. A bill to amend the Federal Water Pollution Control Act to update a program to provide assistance for the planning, design, and construction of treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows, and to require the Administrator of the Environmental Protection Agency to update certain guidance used to develop and determine the financial capability of communities to implement clean water infrastructure programs; to the Committee on Environment and Public Works.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 2798. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to create an electronic database of research and information on the causes of, and corrective actions being taken with regard to, algal blooms in the Great Lakes, their tributaries, and other surface fresh waters, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER (for himself and Mr. THUNE):

S. 2799. A bill to extend the authority of satellite carriers to retransmit certain television broadcast station signals, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH (for himself and Mr. KING):

S. 2800. A bill to create a patient-centered quality of care initiative for seriously ill patients through the establishment of a stakeholder strategic summit, quality of life education and awareness initiative, health care workforce training, an advisory committee, and palliative care focused research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself and Mr. THUNE):

S. 2801. A bill to provide for conditions on the renewal of health insurance plans purchased through Exchanges; to the Committee on Health, Education, Labor, and Pensions.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. ENZI):

S. Res. 542. A resolution supporting the goals and ideals of National Save for Retirement Week, including raising public awareness of the various tax-preferred retirement vehicles and increasing personal financial literacy; considered and agreed to.

By Mr. ENZI (for himself, Mr. JOHNSON of South Dakota, Mr. PORTMAN, Mr. BENNET, Mr. INHOPE, Mr. MARKEY, Mr. WHITEHOUSE, Mr. ROBERTS, Mr. HATCH, Ms. HEITKAMP, Mr. CORNYN, Mr. WICKER, Mr. DONNELLY, Ms. BALDWIN, and Mr. JOHANNIS):

S. Res. 543. A resolution designating November 1, 2014, as National Bison Day; to the Committee on the Judiciary.

### ADDITIONAL COSPONSORS

S. 403

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 851

At the request of Mr. SANDERS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 851, a bill to amend title 38, United States Code, to extend to all veterans with a serious service-connected injury eligibility to participate in the family caregiver services program.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1251

At the request of Mr. REED, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1251, a bill to establish programs with respect to childhood, adolescent, and young adult cancer.

S. 1349

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1417

At the request of Mrs. HAGAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1535

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1535, a bill to deter terrorism, provide justice for victims, and for other purposes.

S. 1823

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1823, a bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent human trafficking of children and serve the needs of children who are victims of human trafficking, and for other purposes.

S. 2089

At the request of Mr. BROWN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2089, a bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.