

Morongo Band of Mission Indians, and for other purposes.

H.R. 5167. An act to direct the Secretary of the Interior to convey certain Federal property located in the National Petroleum Reserve in Alaska to the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act.

H.R. 5682. An act to approve the Keystone XL Pipeline.

H.J. Res. 129. Joint resolution appointing the day for the convening of the first session of the One Hundred Fourteenth Congress.

#### MEASURES REFERRED

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

H.R. 3326. An act to provide for an exchange of land between the United States and the Trinity Public Utilities District of Trinity County, California, involving a parcel of National Forest System land in Shasta-Trinity National Forest; to the Committee on Energy and Natural Resources.

H.R. 4846. An act to adjust the boundary of the Arapaho National Forest, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5167. An act to direct the Secretary of the Interior to convey certain Federal property located in the National Petroleum Reserve in Alaska to the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act; to the Committee on Energy and Natural Resources.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2. An act to remove Federal Government obstacles to the production of more domestic energy; to ensure transport of that energy reliably to businesses, consumers, and other end users; to lower the cost of energy to consumers; to enable manufacturers and other businesses to access domestically produced energy affordably and reliably in order to create and sustain more secure and well-paying American jobs; and for other purposes.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 17, 2014, she had presented to the President of the United States the following enrolled bills:

S. 898. An act to authorize the Administrator of General Services to convey a parcel of real property in Albuquerque, New Mexico, to the Amy Biehl High School Foundation.

S. 1934. An act to direct the Administrator of General Services to convey the Clifford P. Hansen Federal Courthouse to Teton County, Wyoming.

#### 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-345. A resolution adopted by the Legislature of the State of Alaska applying to

the United States Congress to call a convention of the states under Article V of the Constitution of the United States to propose amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of federal government officials; to the Committee on the Judiciary.

#### HOUSE JOINT RESOLUTION 22

Whereas the founders of the Constitution of the United States empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded; and

Whereas the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas it is the solemn duty of the states to protect the liberty of their people, particularly for the generations to come, to propose amendments to the Constitution of the United States through a convention of the states under art. V to place clear restraints on these and related abuses of power: Now, therefore, be it

*Resolved*, That under art. V, Constitution of the United States, the Alaska State Legislature respectfully applies to the United States Congress to call a convention of the states for the sole purpose of proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of federal government officials; and be it further

*Resolved*, That this application constitutes a continuing application in accordance with art. V, Constitution of the United States, until at least two-thirds of the legislatures of the several states have applied for a similar convention of the states; and be it further

*Resolved*, That the Alaska State Legislature urges the legislatures of the other 49 states to apply to the United States Congress to call a convention of the states.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Patrick J. Leahy, President pro tempore of the U.S. Senate; the Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the other 49 states.

POM-346. A joint resolution adopted by the Legislature of the State of Alaska opposing the warrantless collection of telephone call data by the National Security Agency; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION 22

Whereas the Fourth Amendment to the Constitution of the United States provides "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but

upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized"; and

Whereas the Fifth Amendment to the Constitution of the United States provides "No person shall . . . be deprived of life, liberty, or property, without due process of law"; and

Whereas, on December 16, 2013, United States District Court Judge Richard Leon ruled that the National Security Agency's program, bulk collection, and querying of telephone record metadata are likely unconstitutional; and

Whereas the legislature objects to the dragnet approach to data collection allowed by the Foreign Intelligence Surveillance Court, a court that operates in secret and, under sec. 215 of the USA PATRIOT Act, issues orders that perpetuate the warrantless collection of data of nearly all Americans; and

Whereas the National Security Agency stores the date and time of calls, their duration, and the participating telephone numbers of the calls of nearly all Americans in a centralized database, which allows National Security Agency analysts to access not only those numbers, but the numbers with which the numbers have been in contact, and, in turn, the numbers in contact with those numbers; and

Whereas the Privacy and Civil Liberties Oversight Board, in its January 2014 report titled "Report on the Telephone Records Program Conducted under Section 215 of the USA PATRIOT Act and on the Operations of the Foreign Intelligence Surveillance Court," questions the legal basis for the National Security Agency's mass telephone call data collection program; and

Whereas, when telephone call data of Americans is collected by the National Security Agency, that data is not related to specific investigations of the Federal Bureau of Investigation; and

Whereas orders issued by the Foreign Intelligence Surveillance Court at the request of the federal government require telephone companies to provide new calling records on a daily basis, a mandate not grounded in statute; and

Whereas sec. 215 of the USA PATRIOT Act is designed to enable the Federal Bureau of Investigation to obtain records in the course of investigations, but the National Security Agency's mass collection of the records is not consistent with that design; and

Whereas the Electronic Communications Privacy Act of 1986 prohibits telephone companies from sharing consumer data with the government except in special circumstances, and the Privacy and Civil Liberties Oversight Board concluded that the National Security Agency's telephone call data collection program may violate the Act; and

Whereas the Privacy and Civil Liberties Oversight Board found that the National Security Agency's telephone call data collection program has not prevented, discovered, or identified terrorist attacks, plots, or suspects that threatened the security of the United States; and

Whereas the widespread collection of telephone call data of Americans reveals highly sensitive personal information; and

Whereas the legislature resolutely opposes the continuation of the National Security Agency's warrantless data collection program; and

Whereas the legislature views the National Security Agency's storage in a central database of the telephone call metadata of all Americans as an unconstitutional practice that should be immediately suspended; and

Whereas the history of government coercion, persecution, and abuse of personal information and human life in the twentieth

century prompts the legislature to seek to protect the liberty of future generations from an oppressive and tyrannical federal government; and

Whereas the fundamental rights of Americans to speak freely and associate with others are threatened and are likely being diminished by the National Security Agency's mass collection of telephone call data; and

Whereas the National Security Agency's mass collection of telephone call data may intimidate or chill the freedom of expression of individuals and groups that disagree with certain government policies or result in extreme scrutiny of those persons simply for opposing those policies; and

Whereas the Foreign Intelligence Surveillance Court has deviated from its purpose to authorize warrants for electronic surveillance relating only to a specific person, a specific place, or a specific communications account or device; and

Whereas the Foreign Intelligence Surveillance Court operates in a secretive manner that prevents the court from hearing public input regarding government requests to conduct surveillance: Now, therefore, be it

*Resolved*, That the Alaska State Legislature urges the federal government to end the mass telephone call data collection program conducted under sec. 215 of the USA PATRIOT Act, because of its lack of a statutory foundation and because it raises serious constitutional concerns under the Fourth and Fifth Amendments to the Constitution of the United States; and be it further

*Resolved*, That the Alaska State Legislature urges the federal government to eliminate all stored metadata upon ending the mass telephone call data collection program; and be it further

*Resolved*, That the Alaska State Legislature urges the United States Congress to authorize the creation of a panel of private sector lawyers to serve as advocates for the public before the Foreign Intelligence Surveillance Court to increase public knowledge and oversight; and be it further

*Resolved*, That the Alaska State Legislature urges judges of the Foreign Intelligence Surveillance Court to write opinions in a manner that allows the government to declassify and release the opinions to the public; and be it further

*Resolved*, That the Alaska State Legislature urges the Foreign Intelligence Surveillance Court to work to declassify past opinions and release those opinions to the public; and be it further

*Resolved*, That the Alaska State Legislature requests the United States Attorney General and members of the intelligence and judiciary committees of the United States Congress to inform the Alaska State Legislature of the federal government's activities under the Foreign Intelligence Surveillance Act and provide the Alaska State Legislature with copies of reports submitted under the Foreign Intelligence Surveillance Act; and be it further

*Resolved*, That the Alaska State Legislature urges the Governor to prohibit the use of state personnel and resources to assist the National Security Agency in its collection of mass data on Alaskans without a specific search warrant; and be it further

*Resolved*, That the Alaska State Legislature considers the National Security Agency's unilateral collection of the telephone call data of all Americans a violation of statute, an unconstitutional program, and a troubling overreach by the federal government; the Alaska State Legislature has sworn to uphold both the Constitution of the United States and the Constitution of the State of Alaska and will not assist the federal government by facilitating programs that are tyrannical in nature, that subject Americans to unreasonable and unwarranted searches, and that violate the fundamental principle of liberty; let this resolution serve

as a notice to this Administration and all future Administrations that Alaskans reject surrendering their liberty in the name of an unconstitutional program.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Patrick J. Leahy, President pro tempore of the U.S. Senate; the Honorable Dianne Feinstein, Chair, U.S. Senate Select Committee on Intelligence; the Honorable Saxby Chambliss, Vice Chair, U.S. Senate Select Committee on Intelligence; the Honorable Mike Rogers, Chair, U.S. House of Representatives Permanent Select Committee on Intelligence; the Honorable C. A. Dutch Ruppersburger, Ranking Member, U.S. House of Representatives Permanent Select Committee on Intelligence; the Honorable Jeh Johnson, United States Secretary of Homeland Security; the Honorable Sean Parnell, Governor of Alaska; General Keith B. Alexander, United States Army, Director, National Security Agency; Richard H. Ledgett, Jr., Deputy Director, National Security Agency; James B. Comey, Director, Federal Bureau of Investigation; and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-347. A resolution adopted by the Legislature of Rockland County, New York, urging that health, safety, and planning concerns be addressed and mitigated in the environmental review and all other review processes before project permissions be granted for Spectra Energy's Algonquin Incremental Market natural gas pipeline, compressor, and metering stations expansion project; to the Committee on Energy and Natural Resources.

POM-348. A resolution adopted by the Puerto Rico Bar Association requesting that the government of the United States exempt Puerto Rico from the regulations of the Jones Act, also known in Puerto Rico as the Cabotage Act, to allow foreign-flag ships to bring goods to the country, which has previously been done in similar situations with the U.S. Virgin Islands, Alaska, Hawaii, and other jurisdictions of the United States; to the Committee on Commerce, Science, and Transportation.

POM-349. A resolution adopted by the Puerto Rico Bar Association reaffirming the historical opposition of the Puerto Rico Bar Association to the death penalty and urging such actions as are necessary to implement that opposition; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1804. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes (Rept. No. 113-273).

S. 1893. A bill to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes (Rept. No. 113-274).

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

H.R. 4366. A bill to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement (Rept. No. 113-275).

#### 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. STABENOW:

S. 2929. A bill to amend the Federal Power Act to require the Federal Energy Regulatory Commission to review the decisions of the North American Electric Reliability Corporation affecting cost allocation under system support resources agreements; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself, Mr. BURR, Mr. BLUMENTHAL, Mr. BLUNT, Mr. MANCHIN, and Ms. MURKOWSKI):

S. 2930. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to provide for the conduct of an evaluation of mental health care and suicide prevention programs of the Department of Defense and the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 2931. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules and consideration of the least burdensome regulatory alternative, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH:

S. 2932. A bill to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 2933. A bill to prohibit the unauthorized use of electronic tracking devices; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 2934. A bill to prohibit trespassing on critical infrastructure used in or affecting interstate commerce to commit a criminal offense; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 2935. A bill to provide for programs and activities with respect to the prevention of underage drinking; 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. MCCONNELL (for himself and Mr. REDD):

S. Res. 579. A resolution relative to the death of Howard O. Greene, Jr., former Sergeant at Arms of the United States Senate; considered and agreed to.