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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

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

Let us pray. Eternal God, thank You for not keeping a record of our wrongdoings. As we lift our hearts in prayer, open Your ears to our supplications. Keep our feet on a smooth, straight road so that we will experience Your best for our lives. Lord, walk with our Senators throughout this day. Remind them that they are Your servants, as You keep them alert to Your commands.

Forgive us when we forget to express our gratitude, for without Your help, challenges will overwhelm us. In this season of Thanksgiving we are grateful that You have not left us defenseless but that Your grace and Your mercy continue to prevail in our lives. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 20, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 2 p.m. today, with Senators allowed to speak for up to 10 minutes each.

There will be five rollcall votes at 2 p.m. on confirmation of the Pepper, Sannes, Arleo, Beetlestone, and Bolden nominations, all to be district court judges, followed by 11 voice votes on executive nominations.

TRIBUTE TO CHRIS DOBY

Mr. REID. Mr. President, the famous poet Oliver Wendell Holmes said: ‘‘Put not your trust in money, but put your money in trust.’’ That is what he said. Since 2005 the Senate has put its money—precious taxpayer dollars—into the trusted hands of a man by the name of Chris Doby. He is the financial clerk of the Senate. He has proven himself to be equal to the task. That is an understatement. Through budget cuts, sequestration, and even a government shutdown, Senators and staff knew that Chris Doby and his team would make it work, no matter what took place.

There is just one story I will share with the Senate. In the midst of the government shutdown, Senate employees had no assurance of when their next paycheck would come. Staffers with families, mortgages, and student loan payments all hoped the shutdown would not be their personal financial disaster. Missing a check or two can be very difficult for most everyone.

After 16 days, Congress passed legislation funding the government, and the shutdown came to an end. That was October 16, 2013, just 2 days before payday for Senate staffers. It is important to understand that processing payroll for almost 7,000 employees normally takes about a week. But anticipating what a missed paycheck would mean for his fellow Senate employees, Chris Doby calmly pushed them to make it work.

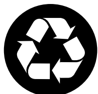
So in less than 48 hours, with a very depleted staff, Chris and the Senate Disbursing Office ensured that every Senate staffer received their paycheck on time. Because of their efforts, mortgage payments were made, groceries were purchased, and working families breathed a sigh of relief.

I was trying to think what I could say today to indicate to this good man and his family and his friends and Senate staffers what a good person he is and what a good professional he is. The comparison I thought I would make is this. When I was a boy, I used to love to listen to the game of the day on radio, Mutual Radio Network in the town I lived in, a little town in Nevada. We, of course, had no TV. But radio reception came in pretty good during the day. I do not remember the station, but we could listen to the radio.

On the game of the day, I focused on some people who were so good and who later became even better than I had imagined. One of those people who is now in the Baseball Hall of Fame was a man by the name of Larry Doby. He was a center fielder for the Cleveland Indians. He was good. He could run fast, jump high. He hit with power. He stole bases. He was very good.

This Doby we have in the Senate, in my opinion, is somebody who, just like Larry Doby, would make the All-Star

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



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team and should be in the Senate Hall of Fame for the good work he has done over these many years.

RESERVATION OF LEADER TIME

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

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PROPOSED EXECUTIVE ACTION

Mr. McCONNELL. Mr. President, I would like to say a few words this morning about President Obama's proposed Executive action on immigration. I will begin with a quote from the President himself. ''Democracy is hard,'' he said during a commencement speech in Miami 3 years ago. ''But it's right. [And] changing our laws means doing the hard work of changing minds and changing votes, one by one.''

As somebody who well understands just how difficult the work of changing minds and votes can be, I could not agree more with the President's statement. Americans accept that democracy's blessings are only made possible by the constraints it imposes—both its legal contours and those imposed by popular elections.

We accept democracy's messiness. We accept that we may not always get all of what we want exactly when we want it. Based on more of what the President said in Miami, this is something he seemed to understand as well. He was talking about immigration that day.

Here is something else he said on that topic. ''I know [that] some . . . wish that I could just bypass Congress and change the law myself. But that's not how democracy works.'' Indeed, it is not—all of which makes the President's planned Executive action on immigration even more jarring.

If the President truly follows through on this attempt to impose his will unilaterally, he will have issued a rebuke to his own stated view of democracy. He will have contradicted his past statements on this very issue. The instances of President Obama saying that he does not have the power to do the kinds of things he now plans to do are almost too numerous to list.

He tried to suggest otherwise last weekend. But a prominent fact checker panned the spin as ''Pinocchio-laden'' and clarified that the President has been asked specifically about the source of actions that he is contemplating now. The President's previous answers seemed to be unequivocal: He lacked the legal authority to act, according to the President himself.

As one example, President Obama said last year that Executive action was ''not an option,'' because ''[he] would be ignoring the law. ''There is a path to get this done,'' he said, ''and that is through Congress.'' He is right. The action he has proposed would ignore the law, would reject the voice of the voters, and would impose new unfairness on law-abiding immigrants, all without solving the problem.

In fact, his action is more likely to make it even worse. We have already seen the consequences of Deferred Action for Childhood Arrivals, or DACA, his most recent action in this area. It was a factor in encouraging young people to risk their lives on a perilous journey some would never have even contemplated and some would never complete.

The effect of this action could be just as tragic. Just as the Affordable Care Act had little to do with making health care more affordable, slapping the term ''immigration reform'' on something does not make it actually immigration reform. Just as with ObamaCare, the action the President is proposing is not about solutions, it is not about compassion, it seems to be about what a political party thinks would make for good politics.

It seems to be about what the President thinks would be good for his legacy. Those are not the motivations that should be driving such sweeping action, and I think the President will come to regret the chapter history writes if he does move forward because the plan he is presenting is more than just—as the President himself has acknowledged—an overreach, it is also unfair. What does the President have to say to the countless aspiring immigrants who spent literally years waiting patiently in line, to the people who played by all the rules? Where is his compassion for them? What does the President have to say to the millions of Americans who still can't find work in this economy? The President can't reach across the aisle to secure a serious jobs plan for them, but he is willing to put everything he has into one Executive action? Where is the justice?

There is a larger point too. Some people seem to have forgotten this already, but we just had an election. Before that election the President told us about his plan to act unilaterally on immigration. He reminded us that his policies were on the ballot. And then the people spoke. The President doesn't have to like the result, but he has a duty to respect it. The American people clearly sent a message. Nobody missed it. They said they want to see us working together. They said they want to see more serious ideas pass through Congress. What they didn't say they wanted to see was the President sidestepping the very representatives they just elected. That is why so many Kentuckians have been calling my office in opposition to this plan. I know phones have continued to ring off the hook all week in our offices across Capitol Hill. Our constituents want to be heard. President Obama needs to listen to their voices.

If nothing else, perhaps the President will at least consider the views of Democratic Senators and Members of Congress who have urged him not to do this. These Democrats understand the consequences of a President from a different political party citing this precedent in the future.

Either way, he needs to understand something: If President Obama acts in defiance of the people and imposes his will on the country, Congress will act. We are considering a variety of options, but make no mistake—when the newly elected representatives of the people take their seats, they will act.

Look, as the President has said, democracy is hard. Imposing his will unilaterally may seem tempting. It may serve him politically in the short term. But he knows it will make an already broken system even more broken, and he knows this is not how democracy is supposed to work because he told us so himself.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Maryland.

TRAGIC SYNAGOGUE SLAYINGS

Mr. CARDIN. Mr. President, I know I express the sentiments and outrage of every Member of this body about the tragic events in Israel this past Tuesday where those in a synagogue were brutally slain. It was a shock to all of us—in a synagogue, in a place of worship, people there praying and studying, and their lives were brutally ended.

Let me just mention the victims. Rabbi Moshe Twersky, Rabbi Aryeh Kupinsky, Rabbi Kalman Levine, Avraham Goldberg, and Zidan Saif, a police officer.

I particularly want to mention Rabbi Kupinsky because there is a connection

here to Maryland. Three of the victims had U.S. citizenship. Rabbi Kupinsky is a cousin of a distinguished constituent, Judge Karen Friedman of Baltimore. So this affects all of us.

I know first and foremost our prayers are with the families and we express our deepest sympathy. I also express our resolve to eliminate such extremists and to work with the international community so there is no refuge anywhere in the world—anywhere in the civilized world—for such extremists. Then I would hope we would all recognize and speak out for Israel's right, indeed its obligation, to defend its people from such brutal attacks.

The Baltimore Sun said this morning in its editorial there could be no excuse, no explanation, no reason or even plausible justification for the horrific attack on a Jerusalem synagogue Tuesday that left four Rabbis and an Israeli police officer dead.

I know we all believe in that statement. There is no justification for such actions. Yet Hamas—and again I would quote from the Sun paper—''Hamas, the militant [extremist] group that controls Gaza, hailed the attack in the synagogue as a blow against Israel's occupation. . . . ''

This just points out the difference between Hamas and Israel. I have been on the floor many times talking about Israel's legitimate right to defend itself and Hamas's desire to put innocent people in harm's way. It is our responsibility to speak out. If this event would have happened in the United States, I think we all know what the reaction would have been. So our resolve goes out to the people of Israel that we will stand by them and that we stand by their right to defend themselves.

This is in the backdrop of a rise of anti-Semitism. We have seen these violent attacks in Brussels and Toulouse earlier this year, a brutal slaying in Antwerp, Jewish schools and community centers and synagogues being targets of attacks, extremist parties gaining political support espousing anti-Semitism. We saw that in Hungary and other countries.

I want to mention once again the role this Congress plays in the Helsinki Commission. I have the honor of being the Chair of the Helsinki Commission during this Congress, and the Helsinki Commission implements the commitments we made almost 40 years ago—the Helsinki Final Act; the core principles of human rights and tolerance. Our bedrock principle is that in order to have a stable country you have to have a commitment to basic human rights, and it is not just your obligation but every country that is part of Helsinki, including the United States, that has the right to challenge any other country in its compliance with those basic human rights. We have made progress.

Ten years ago I was privileged to be part of the U.S. delegation in the Berlin conference. The Berlin conference was established to deal with the rise of anti-Semitism, and an action agenda came out of that conference 10 years ago. It put responsibility on us—political leaders—to speak out against anti-Semitic activities in our own country or anywhere in the world. It set up an action plan to deal with educating, and particularly dealing with Holocaust education, to deal with the Holocaust deniers. It dealt with police training because we understand a lot of criminal activities are hate crimes and the police need to be able to identify when hate crimes are taking place in their own community.

We decided to share best practices by providing technical help to countries to do better, and we established a special representative to deal with anti-Semitism. Rabbi Baker is currently that special representative. But we went further than that, we expanded it to all forms of intolerance—not just anti-Semitism but xenophobia, anti-Muslim activities—because we recognized that the same people who are extremists and who deny individuals because of their anti-Semitic acts would do the same against Muslims, would do the same against any people because of their race or ethnic background.

I was very pleased to see commemorated the 10th anniversary of the Berlin conference. There was a reconvening in Berlin—Berlin plus 10. Ambassador Powers, our Ambassador to the United Nations, led the U.S. delegation. She did a great job. I want to acknowledge that Wade Henderson, representing the Leadership Conference on Civil and Human Rights, also participated because there is unity here. It is not just the anti-Semitic activities, it is the intolerance we have seen grow too much in our world community today.

The concluding document said we need to increase our political and financial support for civil societies, and I agree with that. Transparency and supporting the NGOs, supporting civil societies, is critically important.

The bottom line is we must work together to root out all forms of anti-Semitism and all forms of intolerance. Let us work together to make all our communities safer by embracing diversity and recognizing basic human rights.

With that, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RUSSIAN ENCROACHMENT INTO UKRAINE

Mr. PORTMAN. Mr. President, I rise today to call this body's attention to a crisis that grows more alarming every day, and that is the continued Russian encroachment into Ukraine. It has been over 2 months since the Ukrainian Government entered into a ceasefire agreement with Russian-backed separatists in southeastern Ukraine. It is an agreement that the separatists have repeatedly violated, and since it came into effect hundreds—hundreds—of Ukrainian soldiers have died in battle against these same separatist forces.

The Ukrainian people want peace, but these insurgents and their patrons in Moscow are not interested. Every day they grow more aggressive and bolder in their violations of the Ukrainian territory and their willingness to subvert the international order.

I know there are some in this body who would say this is not our problem, it is thousands of miles away, and not our concern. Some people may think it doesn't matter which flag flies over the territory. I have a different view. To me, what happens in Ukraine is very much in our interests. It is in the interests of all who value liberty and the right to choose one's own future. The stakes are very high, and the consequences of inaction are devastating. To those who ask why is this important, let me bring up several points.

First, it is in America's interest to uphold our traditional commitment to supporting democracy around the world and the right of a people to choose their own destiny. When the Soviet Union fell and the people of Eastern Europe took back the liberty that had been stolen from them decades before, the United States made a solemn promise: Embrace democracy, freedom, transparency, and the rule of law, and we will embrace you.

The Ukrainian people made their choice. They did so on the 24th of August, 1991, when an independent Ukraine ceased to be a dream and became a reality. They reaffirmed that commitment over a decade later when the Orange Revolution swept a corrupt government from office. And earlier this year in the face of Russian threats, intimidation, and aggression, they did so again. I saw that commitment firsthand earlier this year when I had the honor of leading a Congressional delegation with my colleague from Maryland, Senator CARDIN, to monitor the Ukrainian Presidential election. Senator CARDIN and I saw the spirit of the Ukrainian people and their determination to honor the memory of brave men and women who had given their lives in the fight for a free and independent Ukraine. That fight continues today.

But this fight is about more than just Ukraine. Failing to honor our commitment to the Ukrainians will have real consequences that extend to other national security priorities for the United States of America. When Ukraine emerged as an independent nation after the Cold War, it inherited the world's third largest stockpile of nuclear weapons. As a newly independent State

looking to ensure its sovereignty and territorial integrity, Ukraine could have relied on its nuclear arsenal to ward off would-be aggressors. They made a different decision. Instead of pursuing this dangerous path, they sought and received assurances from the international community that its borders would be respected if it gave up its nuclear weapons.

In 1994, the United States, the United Kingdom, Russia, and Ukraine signed the Budapest Memorandum in which all sides pledged to respect Ukraine's territorial integrity, refrain from using military force or economic pressure to limit Ukrainian sovereignty, and provide assistance to the Ukraine if it became the victim of aggression from another nation.

Clearly Russia has broken its part of that agreement. Now the question is whether we are breaking ours. If we do break our word, what will the impact be on American counter-proliferation efforts around the world? How can any nation we seek to prevent from developing nuclear weapons ever trust U.S. security assurances if they see the carnage and destruction in Ukraine, if they see this as being the result of trading nuclear weapons for American guarantees?

More than just the credibility of U.S. counter-proliferation efforts is at stake here. Events in the Ukraine are a direct challenge to the entire U.S.-led international order. U.S. economic and military power was the glue that kept the Western alliance together through the challenges of the Cold War and formed the foundation of an international order based on universal values and standards of conduct that has led to unprecedented global prosperity and stability. This in turn has produced a period of U.S. economic growth and security unrivaled in our Nation's history. Confidence in America's willingness to use our unmatched capabilities to uphold this system deters potential challengers and incentivizes other countries to play by the rules, which prevents us from actually having to use them.

America's commitment to uphold this system is incredibly important. If the credibility of this commitment is in doubt, then the stability and openness upon which U.S. economic prosperity and national security depend is jeopardized and the chance for violence, instability, and economic collapse increases.

By the way, the Russian Government knows all this. President Putin, who famously declared the collapse of the Soviet Union to be ''the greatest geopolitical catastrophe of the 20th century,'' knows that his dream of building a new Russian empire out of the ashes of the Soviet Union requires establishing Russian dominance over its newly independent neighbors, many of whom—like Ukraine—want closer integration with the West, not Russia. To accomplish this goal, Moscow must shatter this political, economic, military, and ideological credibility of the Western system. Russian aggression against Ukraine today or Georgia back in 2008 is as much about demonstrating the emptiness of U.S. and Western guarantees as it is about control of these individual countries, in my view. The conflict in Ukraine is the latest escalation of this trend, one that will continue until the United States and its allies say firmly, ''This shall not continue.''

The President keeps saying that ''there is no military solution to this conflict.'' The President may think so, but Moscow certainly does not. The direct Russian military involvement in Ukraine has been on full display for the world to see for months. In previous times it may have been easier to keep these movements out of sight, even as President Putin does his best to suppress a free press. But we are fortunate to have reporters willing to document what they see for all the world to witness.

Here are a few examples in the media from recent days. This is a picture of a Russian-made T–90 main battle tank in the Luhansk Oblast of Ukraine recently. This T–90 tank, by the way, is a very sophisticated Russian tank.

Do you know who owns these T–90 tanks? Here are the countries: Algeria, Azerbaijan, India, Turkmenistan, and Russia. I think it is safe to say that these tanks didn't drive from South Asia or from North Africa. They came from Russia, and they are in Ukraine.

Here is a picture of a Sukhoi-24 attack fighter reportedly taken in Russia. You will see painted on the tail the flag of the pro-Russian separatists. Not many people are aware of reports that Russia is helping to create a separatist air force, but we must wake up and realize the extent to which Russia is determined to trample on Ukraine and the global order to achieve its ends. In the last couple of days there have also seen reports of significant movement of Russian aircraft to the Ukrainian border.

These are just a few examples of the Russian armored personnel carriers, artillery, tanks, air defense systems, electronic warfare units, and thousands of Russian troops that NATO reports say have moved into Ukraine over the last several weeks. According to the Ukrainian analysts, Russian and separatist forces have been organized into mobile strike groups and have completed reconnaissance of Ukrainian positions in preparation for an all-out assault. Barely a day has gone by since the signing of the so-called ceasefire in September where Ukrainian troops haven't come under attack, as separatists probe Ukrainian defenses looking for an opening. Since the beginning of the conflict, conservative estimates have put the number of Ukrainian soldiers killed or wounded at roughly 4,000.

By the way, at least another approximately 5,000 civilians have been killed or wounded in the fighting.

We shouldn't be afraid to call this exactly what it is. This is part of a Russian invasion. We saw it in Crimea; we are now seeing it in other parts of Ukraine.

Two months ago the President of Ukraine, Petro Poroshenko, spoke here before a joint session of Congress. We were all there. It was a poignant speech, a powerful speech, and one from the heart. There is a line in that speech that I think stood out. In speaking about the aid we have sent to Ukraine and thanking us for that aid, President Poroshenko said, ''One cannot win the war with blankets. Even more, we cannot keep the peace with a blanket.''

And he was right. Blankets won't stop this tank we saw earlier. Blankets won't stop bullets. Blankets won't protect Ukrainian children from Russian artillery shells.

We don't know a whole lot about what the United States has provided to the Ukrainians, but I will get to that in a moment. We are having trouble getting that information from the administration. But we know a few things. We know we have given them blankets, sleeping mats, military rations, medical kits, and body armor. This is the majority of what we have been providing, as far as we know, to the Ukrainian military. I know the Ukrainians are grateful for these items. But when you compare this to the Russian involvement, the differences are startling. Here is what we provided to the Ukrainians. Here is the Russian support being provided to the separatists. I am proud of the hard-working Ohioans——

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

Mr. PORTMAN. While I am proud of the hard-working Ohioans in Cincinnati and elsewhere who are making these rations, and the folks in Heath who produce these helmets, they know as well as I do that this equipment doesn't constitute deterrence, especially not when Ukrainians are facing advanced Russian equipment and troops.

May I ask unanimous consent for an additional 3 minutes?

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

Mr. PORTMAN. Thank you.

I don't mean to downplay the importance of the economic, political, and humanitarian aid we have provided. Indeed, there are many economic and political reforms the Ukrainians will need to make in order to secure long-term peace and prosperity. But how can Ukrainians be expected to make these difficult but necessary reforms if it cannot control its own borders or maintain law and order? There is a military dimension to this crisis we simply cannot ignore any longer.

Moscow continues to believe that military force is a viable option to achieve its goals. Unless the United

States and its allies help the Ukrainians prove otherwise, we shouldn't expect any change in its behavior. Ukraine needs anti-tank weapons to defend against armored assaults; it needs modern air defense systems to defend against Russian air superiority; it needs unmanned aircraft to monitor its borders and to detect violations of its sovereignty and the ceasefire. It needs secure communications gear to prevent Russia from accessing Ukrainian plans and troop locations. It needs advanced counter-battery radar to target the artillery batteries responsible for so many of the casualties in the conflict. It needs elite rapid reaction forces capable of responding to Russian border provocations and the fast-moving asymmetric "hybrid war" tactics the Russians use to destabilize the country. Therefore, they also need training. The Ukrainians have asked for this support, and we should provide it.

Most importantly, Ukraine needs a sustained commitment from the United States and our NATO allies to provide both the quality and the quantity of equipment necessary to preserve its independence. This is not a partisan issue. Leading Democrats in the Senate, such as the Chairmen of the Armed Services and Foreign Relations Committees, Senators LEVIN and MENENDEZ, as well as Senator CARDIN and others, have joined in calling for increased assistance, including defensive weapons. Yet the President and some of his top advisers continue to stand in the way of meaningful action for fear of provoking Russia, as if the tanks streaming into Ukraine or the daily clashes aren't evidence enough that American restraint has not had the desired effect on Russian activity and policy.

It is well known by now that the President has refused to adopt policies that actually provide Ukraine with the capabilities needed to change the situation on the ground. What is less well known is whether the administration is even fully committed to fulfilling the objectives of its own already limited policies.

For all the talk we have heard about the President and his steadfast support for Ukraine and the $116 million in security assistance the United States has promised to deliver, we know almost nothing about how these policies are actually being implemented. This administration has been a black box when it comes to getting even the most basic information on our efforts to aid Ukraine. Despite multiple requests, including a letter to the President from Senator CARDIN and me, we still can't seem to get answers on fundamental questions: What equipment has been delivered to Ukraine? How long will it take to deliver the equipment we have promised but not delivered? What is the process for determining what capabilities to provide? How does the equipment we have agreed to provide support the capabilities they have requested? How do our assistance efforts fit into a comprehensive strategy?

This complete lack of transparency on the day-to-day implementation of U.S. assistance raises questions about the underlying policy guidance driving it and whether the administration actually has far more modest goals than the President's public rhetoric would suggest. For example, a bipartisan assessment, conducted by GEN Wesley Clark, Retired, and former top Pentagon official Dr. Phillip Karber, and featured in the New York Times, the Washington Post, and other major newspapers, revealed that the Obama administration has issued extremely restrictive instructions on the type of nonlethal aid the United States could provide. The lack of this aid has created real problems for the Ukrainians.

The fact is that no one in Congress knows how these regulations will be applied. This is a huge problem and stands in the way of a coherent and effective policy.

Yesterday the President's Deputy National Security Adviser testified that strengthening the Ukrainian forces is "something we should be looking at." While this is a welcome change of tone, we should be well beyond the point of just looking at it, in my view, because every day we delay, every day we dither, every day we match Russian action with half-measures and self-imposed limitations, Moscow is emboldened and the danger grows.

I am convinced that a piecemeal, reactionary response to intimidation from Moscow is a recipe for failure. Instead, we must have a comprehensive, proactive strategy that strengthens NATO, deters Russian aggression, and gives Ukraine the political, economic, and military support it needs to maintain its independence. We need a strategy that seeks to shape outcomes, not be shaped by them.

Much of that leadership must come from the White House, but this body also has a role to play. We should include funding for Ukrainian military assistance in upcoming spending bills. We should pass the Ukraine Freedom Support Act, which would authorize the assistance Ukraine needs today. We should pass legislation that will reduce Ukraine's—and all of Europe's—reliance on Russia for its energy resources. And we should pass legislation to ensure that the United States never recognizes Russia's illegal annexation of Crimea.

The need for action could not be more clear. Through his aggression in Ukraine, President Putin and Moscow are sending a message to Ukraine and to the world that America and the West are indecisive and weak and that their guarantees of support are meaningless. The Ukrainian people have rejected that message, choosing instead the path of democracy and openness—a path the United States has urged the Ukrainians and also the world to follow. We and our NATO allies must now stand with them.

When America is strong, when we stand unequivocally for freedom and justice, when we don't back down in the face of threats and intimidation, that is when we see a world that is more stable, less dangerous, and more free. That is because we stand with our allies.

More wars, more conflicts, more threats to our security—these do not arise from American strength; these arise from American weakness. Let's be strong again. Let's lead again. Let's help Ukraine. The world is watching.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to be recognized for up to 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

REMEMBERING HERMAN J. RUSSELL

Mr. ISAKSON. Mr. President, on Saturday night of last week, Georgia, Atlanta, and America lost a great citizen.

Herman J. Russell was one of the greatest African-American business leaders and civil rights leaders the world has ever known. He passed peacefully in his home after a short illness, but his legacy and his life will last forever—not just in the history books but indelibly on the skyline of our city.

In 1952 Herman J. Russell started a small plastering company called H.J. Russell & Company. He had just graduated from Tuskegee Institute in Alabama, and he came to Georgia to make his fortune and his fame. He started out plastering walls and ceilings, and he finished his career building the Georgia Dome and the Georgia Pacific Building, the 1996 Olympic Stadium, and buildings throughout the Atlanta skyline. While doing so he made a lot of money which he reinvested back not into his investments but into his community.

In 1999 Herman Russell by himself gave $4 million to Morehouse College, Clark Atlanta University, and Georgia State University, and last December gave $1 million to Children's Healthcare of Atlanta to rebuild and help renovate the facility in downtown Atlanta for a hospital for children.

He was always giving back more than he asked, but his greatest gift may have been the fact that he enabled Martin Luther King in the civil rights movement in the 1960s. It is well known that Dr. King would go to Herman's house to take refuge, take a swim and relax between the arduous times of the civil rights movement. Herman Russell would finance the movement and finance the movement's efforts so they could continue to move forward to bring about equality in the South. That is an indelible mark he left in history, not just for our State but for our country.

Herman and his wife had three wonderful children. They are involved in

the business today. Today the business is still flourishing, as it always has. In fact, the new Atlanta Dome Stadium, which will house the Falcons, is a $1.3 billion stadium in which the company was integrally involved.

Our city has lost a great friend, a great African American, and a great entrepreneur—so great, he was recognized by the Atlanta Chamber as its first African-American member and its second African-American president. He has been recognized by the Butler Street YMCA, the Atlanta and Georgia Business Council, and almost every entrepreneur group there is for his contributions to business and his contributions to investments in the State of Georgia.

It is with great sad tomorrow night that I will go to Ebenezer Baptist Church and be a part of the wake ceremony for Mr. Russell. But it is with great pride that I rise today on the Senate floor to make sure the RECORD indelibly recognizes the life, the times, and the contributions of Herman J. Russell.

REMEMBERING CARL SANDERS

Mr. ISAKSON. Mr. President, on Sunday night a great Georgian and a personal friend of mine passed away from this life. At the age of 89, former Governor Carl Sanders died in Atlanta, GA, at Piedmont Hospital.

Governor Sanders was Governor of Georgia from 1963 to 1967. I was at the University of Georgia as a student from 1962 to 1966, so my college years paralleled his gubernatorial years, where he made a remarkable change in the politics and lives of the people of Georgia.

Everyone remembers what the 1960s were like in the South in terms of segregation. Most of the Governors in the South—like Governor Wallace from Alabama—were segregationists. But Carl Sanders came forward as a Governor who wanted to help bring people together, who wanted to help bring Georgia and the South through a turbulent time, to see to it that African Americans rose to equality not just in the way they were recognized but in the ways the laws were created. In fact, it was Carl Sanders who came to Washington in 1964 to meet with Lyndon Johnson and help form the foundation for the civil rights laws that passed later in the 1960s.

Carl Sanders was born in Augusta, GA. He went to the University of Georgia on a scholarship and played football, and he left the university to go fight in World War II and was a fighter pilot. He came back from World War II, graduated from the University of Georgia, and then graduated from Georgia Law School. He practiced law and was elected to the State legislature and then to the State senate and then Governor of the State of Georgia. He was Governor from 1963 to 1967.

Back then, Georgia Governors could not succeed one another, so he had to wait 4 years to run for a second term. He did wait 4 years and he ran for a second term, and he lost ultimately to the President of the United States, Jimmy Carter. But he was never a loser; he was a winner. And in everything he did, whether it was government or business or family life, whatever it might be, Carl Sanders excelled.

He was such a wonderful man to share his wisdom and knowledge. About once every 6 or 8 months he would have three or four of us over to his office, at the age of 89, treating us to lunch and talking about the good old days but also talking about the future. Carl Sanders was not about the past, except for memories; he was about the future for its hope and its prosperity for people.

Carl Sanders will be remembered for a lot of things, but in Georgia, most importantly, he will be remembered for what became at first a junior college system but is now a 4-year college system which has every Georgia citizen within a 45-minute drive of a State university system facility. His passion as Governor was education. His legacy in Georgia will be education. He contributed greatly to our State and greatly to the future and the prosperity of the people of the State of Georgia.

It is with a great sense of sadness but a great sense of pride that I pay tribute today on the floor of the Senate to a great Governor of Georgia, a great citizen of our country, and a great American—the Honorable Carl Sanders, former Governor of the State of Georgia.

I yield back the remainder of my time.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak in morning business.

The ACTING PRESIDENT pro tempore. The Senate is in morning business.

IMMIGRATION

Mr. DURBIN. Mr. President, it has been 511 days since the Senate passed bipartisan legislation to reform our broken immigration system. Fourteen Republicans joined the Democrats in supporting a measure which covered what I believe are the major challenges facing America when it comes to immigration in the 21st century.

There was an amendment adopted by Senator CORKER, and I believe Senator HOEVEN cosponsored it. Their amendment would have strengthened our border security to unprecedented levels.

At this moment in time, we have more Federal law enforcement officials on the border between the United States and Mexico than the combined population of all other Federal law enforcement agencies. It is a massive commitment which would have been enhanced even more by the comprehensive immigration reform bill.

For those border State Senators, we would have reached the point where—from Galveston to San Diego—we would have literally had available a law enforcement agent every half mile 24 hours a day, 7 days a week. It is a massive investment, and it passed the Senate 511 days ago.

That same bill addressed some serious issues about agriculture workers in Illinois, California, Texas, and all across the Nation. Growers are telling us they are having a difficult time bringing in the workers who will do the backbreaking, hard, physical labor necessary for agriculture. This bill addressed it. In fact, the bill was endorsed by both growers as well as those who do the work. It was an amazing political achievement.

It also addressed the issue of H–1Bs. Why in the world do we bring the best and brightest from around the world to the United States for advanced degrees, advanced education and then welcome them to leave? If they stayed and worked to create jobs and new businesses and new innovations in America, we could build our economy. The bill addressed it.

As important as all of those issues are, the bill addressed 11 million undocumented people in America—11 million, and that is just an estimate. The bill said those who were here undocumented—who had been here for several years—could step up, register with the government, pay their filing fee, submit themselves to a background check, pay their taxes, and then be reviewed annually for years to make sure they were still complying with the laws of the United States.

They would not qualify for government benefits or programs during this period of time, but they could work their way to legal status. That bill passed the Senate on a bipartisan basis with 68 votes. The bill then went over to the House of Representatives where, sadly, it languished. Nothing happened.

The Speaker of the House refused to call the bill up for a vote. In fact, he refused to call any aspect of the bill up for a vote. He refused to call it in committee for any consideration or debate, and then he let it languish. There were times when the House Republican leadership tempted the White House and others by saying: Well, maybe now we can call it up for a vote. They never, ever did. We have waited 511 days, and here we are today.

This evening, President Obama is going to announce an Executive order to address immigration. He has waited patiently, and America has waited patiently for the Republicans in the House of Representatives to step forward and accept this responsibility, but they have refused. They have refused to fix this broken immigration system, and you can bet as soon as the President issues his Executive order, there will be a chorus of complaints that this President has gone too far by using his Executive authority to address this issue.

You won't hear the facts from the critics. You won't hear from the critics that every President since Dwight

David Eisenhower—I believe 11 different Democrats and Republicans—have issued Executive orders relating to immigration. President George Herbert Walker Bush basically said—by Executive order—that we are not going to prosecute 1.5 million undocumented immigrants in America. He used his prosecutorial discretion. That is the kind of thing which we have come to expect from Presidents, and we expect Congress to complain about it. That has continued.

Here is what we believe President Obama will announce today. The details are just starting to emerge in press reports. He is going to announce that we are going to push for accountability in immigration. Senator MARCO RUBIO was on the bipartisan panel that put together the comprehensive immigration reform bill. He said something that was very pressing, and I wish to refer to it at this moment. He said for those who criticize amnesty, doing nothing is amnesty for those who are here in the United States and undocumented. Doing nothing is amnesty.

What President Obama is going to suggest—instead of amnesty—is accountability. Here is what he will say. Those who have children who are American citizens and have been here at least 5 years will have a chance to step forward and register with the government, pay the filing fee for processing, submit themselves to a criminal background check, and pay their taxes.

The President says, if you will do that—under his order—it is my understanding it will say you can legally work in America. They will not become a citizen nor will they have legal status beyond the work permit, but they don't have to fear deportation. They are down the list and are not considered a dangerous person who should be deported.

The highest priority for those who will be deported are those with criminal records, and they should be deported. There is no room in the United States for anyone—let alone undocumented—who come here and commit a crime.

Secondly, if you have repeat offenders and those who violated the legal system, they will be in the second category.

The third category of those who meet the criteria I mentioned will be given their chance.

This is about accountability. This really says to those who wish to say: If you will play by these rules, we will give you a chance to stay and work.

What is the reason? We want to deport felons; we don't want to deport families. We want to deport criminals; we don't want to deport children. We will focus our efforts on the borders on those who are trying to come across and those who are here and should leave. That means more resources would be put into enforcement, and it also means that those who are here will be registered. We will know who they are, where they are, where they are working, and we will know that they are paying their taxes to stay in this country.

The alternative from the Republican point of view—for 511 days—is to do nothing. That is an unacceptable alternative.

There is a better alternative to an Executive order, and the President will be the first to say it, and that is that this Congress—on a bipartisan basis—rolls up its sleeves and tackles this issue. We should. That is why we were elected. To do nothing, as the House has done for 511 days, is unacceptable. To stand by the sidelines and criticize this President for using his Executive authority—the same Executive authority used over and over again by Presidents of both political parties in the field of immigration—is not constructive.

There is one other thing that is even worse. Some Members of the other party are suggesting they are prepared to shut down the Government of the United States over this issue. If the President uses his legal authority, they have threatened to shut down the Government of the United States.

We saw that last year when the junior Senator from Texas took the floor and said he was going to close down the government over the issue of the Affordable Care Act. It was a terrible strategy. A lot of innocent people were hurt. It cost our government and our economy dearly. It was a politically desperate act which I hope will not be repeated ever again—certainly not when it comes to the issue of immigration.

If there was ever a time for us to stand together—both political parties—and solve a problem, this is it. Standing on the sidelines and complaining—which is what we have heard over and over again from the House Republican leadership and continue to hear when it comes to the President's Executive order—is not the kind of constructive policy the American people need.

I applaud the President. He is going to take a lot of grief for this—for using his Executive power—but thank goodness he is stepping up and addressing the problem. Where others have walked away from it, ignored it, and come up with every excuse on Earth, he is directly addressing the problem. And now it is time for us in the Congress to do the same thing.

We are going to come back after Thanksgiving and will be here for at least 10 days. Speaker BOEHNER, leader of the Republican House, has the authority to instantly call to the floor of the House this bipartisan immigration bill which passed the Senate. There is no excuse. If he is going to criticize the President for using his power to solve a problem, then the Speaker should use his power to address that same problem. Call the comprehensive immigration reform bill before we leave at the end of this year. Bring it up for a vote in the House. I think it will pass.

If it passes, and we do—by legislation—a much broader review and change in the immigration reform bill, we will have done what we were elected to do. We will have served this Nation, and we will have set out to repair this broken immigration system.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, I am glad I came to the floor and heard my friend and colleague, the majority whip, from Illinois, and his explanation for how it is clearly within the President's authority to issue this Executive order he plans on announcing tonight. The basic problem is the President himself has said repeatedly he doesn't have that authority. He said it repeatedly. We have all seen the clips on TV and online. He said he doesn't have the power to do it. He was right then, and he is wrong now.

There is a right way and a wrong way to solve problems. The right way would have been during the first 2 years, after President Obama won the election in 2008 and his party commanded 60 votes in the Senate and a majority in the House of Representatives. If this had been a priority for him, he could have done it then.

Instead, on a party-line vote, he chose to jam through the Affordable Care Act—ObamaCare—and we see what a disaster that has been. It was not just me. I was a skeptic. I didn't think it would work. While the goals were laudable and worthy, I just didn't think the Federal Government had the competence or certainly the ability to reconfigure one-sixth of our economy. But the President did it, his party passed it, and it enjoyed no bipartisan support.

That is one of the basic problems with what the President is doing today. The reason why it is so important to follow the Constitution—which requires passing legislation affecting 5 million people through both Houses of Congress and forces us to negotiate and build consensus—is because those are sustainable policies.

If you try to do things on a ''my way or the highway'' basis or on a purely partisan basis, those are not sustainable because we know that as time goes by, today's majority will be tomorrow's minority. Now a Democrat occupies the White House. Perhaps next time a Republican will occupy the White House. Who knows. The point is that only objectives we pursue through the legislative process according to the Constitution and the laws of the United States of America that are done on a bipartisan basis through that natural census-building that is required in order to reach our goals—those are truly sustainable policies. And when the President decides to do it through an Executive order, exercising powers that he himself said he does not have, what are people supposed to think?

I heard my friend from Illinois say, Well, it has been 511 days and Republicans haven't swallowed the comprehensive immigration reform bill that has come from the Senate. They are not required to swallow it. They can pass legislation or not on their own timetable. The old joke is that the opposing party is our adversary, but the Senate is the enemy. That is the joke in House circles. So there is a natural rivalry between the House and the Senate. They are not expected nor required to accept what we pass, nor are they required to do it on our timetable. I believe Speaker BOEHNER and Majority Leader MCCARTHY are committed, as am I and the incoming majority leader come January, Senator MCCONNELL, to making progress on an incremental basis in this important area. It has to be thoughtful, and we have to have fulsome debate with everybody participating in the process.

There are important questions. What impact is the President's Executive order going to have when the unemployment rate is still at 5.8 percent nationally and when the percentage of people actually looking for work is at a 30-year low because many people have given up because of the slow-growing economy? What is the impact of these 5 million—or however many additional work permits the President presumes to have the power to issue—what is the impact going to be on competition for jobs with the economy growing slowly and jobs in short supply? What is the impact of the President's Executive order going to be on household median income? We know wages have been stagnant for the middle class because of this slow-growing economy. What is the impact of millions of additional people competing for jobs in the economy going to be on wages?

I would like to have the answers to those questions.

I would also like to know if the President has the power—which he said he doesn't have but now apparently he has changed his mind—to issue this kind of Executive order affecting 5 million people? What about the other 6 million people who are in the country who did not come in in compliance with our immigration laws, who either overstayed their visas or came across the border illegally?

I come from a border State. We have 1,200 miles of common border with Mexico. We encountered what was described as a humanitarian crisis because we had this magnet known as the impression that we would not enforce our laws that encouraged people to make that treacherous journey from Central America across Mexico. Many of these immigrants lost their lives, were sexually assaulted or kidnapped and held for ransom—very dangerous circumstances in the hands of the criminal organizations that basically control this business. This is a business for them. But if the President has the authority to do this for 5 million, why not the 11 million? How does he explain his action to the 6 million people who will now see these 5 million getting preferential treatment? And how in the world does he explain it to the people who have waited patiently year after year trying to do it the right way? The President has effectively bumped them out of the line and bumped 5 million people ahead of them.

I have every confidence that if we were able to do this in a thoughtful, deliberative sort of way, we could find a compassionate and satisfactory outcome for the people who made the mistake of entering the country illegally or who have overstayed. I believe in proportionality. We don't give the death penalty for speeding tickets. So I think there is an appropriate way to address this, but it is not by an amnesty. I call it an amnesty because, basically, there is no reconciliation process. In other words, when a person makes a mistake—and we all make mistakes and we all understand the aspirations and hopes immigrants bring to the United States because they come here for the same reason people have historically come here, and that is for the American dream. We understand that. But we also understand that when somebody has made a mistake, they need to own up to it and they need to reconcile themselves to lawful authority because, otherwise, the attitude is the law doesn't matter, and it is the law that protects all of us no matter who we are, where we come from, or how we pronounce our last name. And when we have a lawless process, as we do now and which this Executive order does nothing to fix, what that does is perpetuate lawlessness and chaos, and it also continues to enrich these criminal organizations that are more than happy to charge people $5,000, $6,000 a head to make that treacherous journey.

Beyond all of the issues I just addressed, this is a terrible precedent. Again, I understand now the President has decided—and some of our Democratic colleagues say, Well, this is the same thing George Bush did and this is the same thing Dwight Eisenhower did. Well, it is not, and the President knew that when he said he didn't have the authority to do this previously. Now he has changed his mind. Now the argument is they issued Executive orders essentially implementing bipartisan legislation such as the 1986 amnesty that Ronald Reagan signed. There were Executive orders taken in furtherance of that consensus position based on the legislation. However, never has any President purported to have the authority to, out of whole cloth, do what this President says he is going to do.

Where does he get the authority to issue work permits? I understand he can prioritize prosecution and deportation, and he has, but where does the President get the authority to issue work permits for millions of people?

This is rocking people's fundamental confidence in their government. We elect Presidents to faithfully enforce the laws, including the Constitution of the United States. That is the oath the President takes when he is sworn in: ''I do solemnly swear.'' These laws, of course, are beyond the Constitution drafted by Congress. It is ''Schoolhouse Rock.'' Bills start in the House, and in the Senate they have to be reconciled and then sent to the President. That is civics 101. Maybe we need a new course called remedial civics 101 for those who have somehow forgotten how the Constitution is written and how it actually is implemented in the form of the legislative process.

Of course, if the President objects to what Congress sends him, that is when the negotiations start. He can veto it. We can vote to override it if we have the votes. If we don't, we are back to square one and we have to start that negotiation again.

I have never seen or even read of a President who seems so detached, so disinterested in actually engaging in this process set out by the Constitution. This President says if he doesn't get his way, I have a pen. I have a phone. I am going to go it alone. Well, that is a disaster waiting to occur, because it is a provocation to the other branches of government which say, Well, we are not irrelevant in this process and we may have something to say about it. I think we will see some of that in the very near future with regard to the way appropriations are made and what functions of government fund it.

I heard my friend from Illinois say, People are even threatening a government shutdown. That is not true.

I take that back. The Democrats are saying that. No Republican has said that. It is just not going to happen. It shouldn't happen and it won't happen.

I love it when our friends in the other party like to tell us about our own internal politics. I was at the White House with the President and bicameral, bipartisan leadership and our Democratic friends said that the House of Representatives can't pass any immigration reform bill. Well, I don't know how they know that, unless they have some insider wisdom that is not obvious to the people who actually work there and have the responsibility to make it work.

What I know and what I believe is that there is a good-faith desire to try to solve this problem, but not by what I call the ''pig in the python'' approach. In other words, we tried that with the Affordable Care Act, a 2,700-page bill involving trillions of dollars of expenditure done purely on a partisan basis and it didn't work. I think there is an understandable aversion to trying to do things in a comprehensive sort of way. So why not break it down into pieces and do what we can, because there are a lot of different pieces that enjoy bipartisan support.

I think the precedent the President is setting is very dangerous, because if he purports now to have this power which he previously said on numerous occasions he didn't have, what about future

Presidents? What about policies others may not like? Even if a person believes this is a pretty good idea—a person might say, The President is trying to act because obviously this is a controversial issue and things aren't moving fast enough, so I like what the President is doing. Suppose a person says that. Well, just think about the possibility that a few years from now when we have an election, we have a new President, and what if that President says, Well, President Obama purported to exercise this massive Executive authority in defiance of the Constitution and the laws, so I guess I can do it, too.

This is not the kind of political system we want. This is not good for the American people. We do not want a system in which each party, when they happen to be in power, takes their turn abusing Executive authority. We do not want that. I would have thought there are enough people who love this institution known as the U.S. Senate and believe it has an indispensable role in our government who would say, Wait, Mr. President, don't do it, because we may like the policy, but this really is an end run around the Constitution and the role that is appropriately played by both Houses of Congress and the Executive.

But, apparently, there are few, if any, folks on the other side of the aisle who believe that our tradition and our constitutional system of legislating is worth preserving—at least in this instance.

I have spoken at some length about the practical consequences of the President's amnesty, but those consequences also bear repeating since the eyes of the country are now focused on what the President is going to announce tonight. We know from recent experience that the President's unilateral amnesty will be communicated to people in other countries as a signal that they can all come in. That is what happened with the unaccompanied children; 62,000 of them I think the number is, roughly, from Central America since last October. The reason there was a flood and a humanitarian crisis, as described by the President and the administration themselves, is because the signal was the green light is on and people can come to the United States.

People need to come legally. As long as they get here, they can stay. This is because it undermines one of the basic premises of effective law enforcement, and that is deterrence. In other words, we don't want to just try to stop people after they break the law. Actually, it is too late to stop them. What we like to do is deter people from even thinking about breaking the law and, in this instance, even making that perilous journey.

There is going to be a surge, an uptick, of some type of an illegal immigration. People are going to see this as a further signal it is OK to come, and they don't need to comply with the law, they don't need to wait. They can just come. If they are one of the lucky ones, they get to stay because this President or somebody will issue a further pardon.

As I said earlier, this is also a major boom to the cartels and other gangs who control Mexico's smuggling networks. It will almost certainly lead to thousands of people who committed crimes in this country gaining legal status. It will also, as I said earlier, punish people who played by the rules and waited patiently in line trying to immigrate to the country legally. It will punish them by putting them in the back of the line.

Let me just repeat this because it is important to me. America is the most generous country in the world when it comes to legal immigration. We are the beneficiary of the brains, the ambition, the hard work of people who come here from all over the globe. All of us weren't—or almost all of us, our ancestors were not born in the United States. We came from somewhere else. Mine came through Ellis Island from Ireland after one of the potato crop famines in the 19th century. So we understand both the desire to pursue the American dream in this country and the benefits that accrue to our country as a result of legal immigration. That is why we are such a generous country when it comes to legal immigration, but the current chaos associated with illegal immigration has a number of very negative consequences.

I mentioned a moment ago my State has 1,200 miles of common border. It gets attention every once in a while as it did when this humanitarian crisis involving these unaccompanied minors occurred, but it happens day after day that people are detained coming across the southwestern border from all over the world.

I met a young man about 6 months ago when I was down on the border who had emigrated from Bangladesh. I wondered how in the world did he get here from there. There were a number of other Senators and Congressmen with me. We asked the Border Patrol: Can we ask him? They said: Sure.

It turned out he spoke enough English. I asked: Well, how much did it cost you to get here?

He said: Six thousand dollars.

I said: How did you get here?

He said: I had to transit eight countries to get here.

That is a pretty complicated itinerary for anybody even under normal circumstances, but what it demonstrates is there are networks not just in Central America and Mexico but around the world that feed people into this network in order to immigrate to the United States illegally. What we are doing is nothing about that. Last year people were detained at the southwestern border from 140 different countries. If someone goes down to the outside of Falfurrias, TX, down in South Texas, they have rescue beacons the Border Patrol has put out. If someone made this long trip from Central America through Mexico in the hot weather, let's say, and they are dehydrated, they are worried about their life and their health, they can actually go hit this rescue beacon and the Border Patrol will come pick them up which is maybe not their first choice, but it is better than dying from exposure.

The languages of those rescue beacons, the ones I saw outside the checkpoint at Falfurrias, TX—they are in English, Spanish—that doesn't surprise anybody. The third language is Chinese. Chinese is not a native language for most—for anybody, I bet, in Brooks County, TX. What it demonstrates is that there is a pipeline coming across the southwestern border from all over the world. It doesn't take a lot of imagination to see what a potential threat that is from a public safety standpoint.

I know there are people who scoff at the idea of enhanced border security. The Senator from Illinois said we have enough Border Patrol to have one every half mile, 24 hours a day. This would be a way to try to secure the border. It has to be a combination of technology. It has to involve boots on the ground, and in some places—this is controversial along the border—we need to have what they call tactical infrastructure, fencing in some places, particularly in urban areas where it is easy to sprint across and be lost in a crowd before anybody discovers them.

Last year there were roughly 414,000 people detained coming across the southwestern border—414,000 from more than 144 countries. Does that sound as though we solved the problem of border security? No.

We are also sending mixed messages, as I said earlier, in terms of deterrence because people keep coming because they think they have a pretty good shot of making it in, and then the President issues an Executive order.

I wish to mention one other issue that has a particular impact on communities in my State of Texas, because we are on the frontlines of this issue, which is cost to the local taxpayer. I know the distinguished Presiding Officer is a former mayor. The cost of health care, law enforcement, and education fall not primarily on Federal taxpayers, they end up falling on local taxpayers, including the taxes they pay for their school district or their city or their county, the emergency health care provided to the local emergency room and of course law enforcement costs.

Believe me, people who come across the border are not all coming for the right reason. There are people who exploit our poorest border with criminal intent on their mind. They are dangerous, and so law enforcement has to take special precautions. That costs money. It costs the local taxpayers.

The Federal Government has been abdicating its responsibility along the border for a long time. I, for one, have to chuckle when my friends from nonborder States want to tell me and tell

my constituents about our backyard because frankly, to put it in a nice way, they need more information because they don't know what they are talking about.

Most of my friends in the—this is understandable. We all understand our States and our regions. We know them better than other parts of the country that perhaps we haven't been to, but most of my colleagues—I get the impression that their knowledge of the border is from movies they have seen or novels they have read, not from the facts on the ground or studying statistics issued by the Border Patrol or the Department of Homeland Security.

There is a right way and a wrong way to do what the President is purporting to do. The right way to do it is in accordance with the Constitution which requires both Houses to pass legislation and try to reconcile those in a conference committee and then send them to the President.

There are regular negotiations taking place all along the way, but there are enough areas of consensus that I believe we can make true progress. We have not been able to do it through a comprehensive bill because I think there is enormous skepticism, not just about Washington but about Congress as well as about comprehensive bills having unintended consequences.

Take the Affordable Care Act. The President said: If you like what you have, you can keep it. Your prices will go down, not up. That ended up not being true. When that happens people are skeptical. What are they trying to sell us next? The best way to deal with that, it seems to me, is to break it down into smaller, transparent pieces, and then move the pieces across the floor in the House and the Senate, and let's get them to the President.

After we have done that one, two, three, four times, I think people will then say: Well, you know what we have just done is immigration reform in an incremental sort of way. It is not going to satisfy everybody. Again, if your demand is I want everything I want or I am not going to take anything, we know what happens when people lay down those sort of ultimatums. You get nothing.

While there are areas on the immigration topic, which admittedly is controversial, it is challenging, but it is our responsibility to address these challenges and these difficulties and do the very best job we can. The answer is not—and it can't be—a Presidential abuse of power.

As I pointed out earlier, when we try to do things on that basis, just like if we try to pass legislation on a purely partisan basis, it doesn't work. It is not sustainable. It is a provocation to the people who have been carved out of the process to try to do what they can to defend their role in the process, and that is what I worry about.

I remember being at a conference not that long ago when James Baker III and Joseph Calafato spoke. They talked about the importance of bipartisanship. Not that I am ever going to get the Presiding Officer to agree with me on everything I believe and he is not going to agree with me on everything I believe, but they made the point when it comes to some of the most challenging topics, bipartisanship solutions are the only ones that are actually sustainable.

What happens is after the next election, the party that was pushed out of the process and run over then says, OK, we are going to try to repeal everything they did because we didn't vote for it and we don't support it. That commends itself to my way of thinking to a recommitment of bipartisan accomplishment. I am committed to that.

I know from talking to colleagues across the aisle that after 4 years of being shut out of the process themselves in the Senate, they are going to enjoy the new Congress come January because they will be able to participate in the process. If people have a good idea, they can come to the floor and talk about it. They can offer their idea and get a vote.

Nobody is guaranteed to win every time, but people should have a right to get a vote and to raise the profile of the issues they care most about and the people they work for care most about.

I wish the President wouldn't do this. It will not work. It is unconstitutional. It purports to exercise a power he himself said he does not have, but he seems determined to do it nonetheless.

I believe the American people will react negatively to this President's claim of authority to issue this amnesty, and I believe then the next step is for Congress to do everything we can to stop it and then to do it the right way, not the wrong way.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Texas.

Mr. CRUZ. Mr. President, the words of Cicero are powerfully relevant 2,077 years later: When, President Obama, do you mean to cease abusing our patience? How long is that madness of yours still to mock us? When is there to be an end to that unbridled audacity of yours, swaggering about as it does now? Do not the nightly guards placed on the border, do not the watches posted throughout the city, does not the alarm of the people and the union of all good men and women—does not the precaution taken of assembling the Senate in this most defensible place—do not the looks and countenances of this venerable body here present, have any effect upon you? Do you not feel that your plans are detected? Do you not see that your conspiracy is already arrested and rendered powerless by the knowledge that everyone here possesses of it? What is there that you did last night, what the night before—where is it that you were—who was there that you summoned to meet you—what design was there which was adopted by you, with which you think that any one of us is unacquainted?

Shame on the age and on its lost principles. The Senate is aware of these things; the Senate sees them; and yet this man dictates by his pen and his phone. Dictates. Aye, he will not even come into the Senate. He will not take part in the public deliberations; he ignores every individual among us. We gallant men and women think that we are doing our duty to the Republic if we keep out of the way of his frenzied attacks.

You ought, President Obama, long ago to have been led to defeat by your own disdain for the people. That destruction which you have been long plotting ought to have already fallen. What shall we, who are the Senate, tolerate President Obama, openly desirous to destroy the Constitution and this Republic? For I passed over old instances, such as how the IRS plotted to silence American citizens.

There was once such virtue in this Republic that brave men and women would repress mischievous citizens with severe chastisement than the most bitter enemy. For we have a resolution of the Senate, a formidable and authoritative decree against you, Mr. President. The wisdom of the Republic is not at fault, nor the dignity of this Senatorial body. We, we alone—I say it openly—we, the Senate, are waiting in our duty to stop this lawless administration and its unconstitutional amnesty.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL RURAL HEALTH DAY

Mr. GRASSLEY. Mr. President, I rise to recognize National Rural Health Day. I would like to take a moment to recognize our rural health care providers and all they do for this country.

Approximately 62 million Americans live in rural areas and they depend on an ever-shrinking number of health care providers. Rural providers play a very important role in improving the health of their communities and supporting local economies.

I thank our rural providers—individuals, hospitals, and clinics—for all they do. Rural providers support a population that makes invaluable contributions to this country through food production, manufacturing, and other vital industries.

Yet more people in rural areas are living below the poverty line than their urban counterparts. Rural hospitals are struggling to continue providing care due to declining payments, many exacerbated by the Affordable Care

Act. The past few years have been marked by increasing rural hospital closures, with 27 hospitals shutting their doors in the past 2 years.

The trend is concerning and deserves attention as many more facilities and communities are at risk. Once a hospital is gone, the devastating impact on the community cannot be undone. The economic impact is unmistakable.

The typical, critical access hospital creates over 140 jobs in primary employment and $6.8 million in local wages while serving a population of over 14,000. When facilities close, the consequences of traveling great distances for medical care are much more than just mere inconvenience. The delays in obtaining care can mean the difference between life and death. According to the U.S. News & World Report, that was the case for an infant in Texas who choked on a grape and died after the only hospital in the county had closed just a few months before.

There are a number of similarly tragic stories, and they will continue to mount if we fail to take action.

In 1946, Congress recognized the importance of rural health care providers and worked to build the rural health care infrastructure that exists today. It is called the Hill-Burton Act. The country has changed dramatically since 1946 and thoughtful action to improve the distribution and capabilities of our rural health care system is overdue. We need to act now to support our rural providers and facilitate a responsible transition to a modernized health care system.

Rural America is facing what I would call an arbitrary attrition of providers. The hospital closures are a function of no specific design. It is all about balance sheets strained to the breaking point of continual payment cuts. It is not about where providers need to be to serve populations. We need to take a thoughtful look then at what the future of rural health care needs to be.

We need to be willing to consider bold steps to ensure that rural America has access to high-quality health care. Health care coverage, whether through private insurance, Medicare or Medicaid, without access to providers of that care is meaningless.

We need to put a stop to the arbitrary process now and work forward in designing a better, sustainable future for rural health care.

I close, once again, by thanking all of America's rural providers. I am committed to working with all stakeholders to transition to a better future and protect access to health care in America.

TAX EXTENDERS

I would like to speak about the tax extenders bill that is being worked on between the House and the Senate in an informal conference and to explain why I am concerned about the direction it might be taking, particularly as it relates to alternative energy and as it relates to wind energy tax production credit.

Here we are in another lameduck session of Congress, working to finish the business we failed to complete the previous year or two.

One of those critical pieces of legislation that must be enacted is a tax extender bill. It seems as though nearly every year in recent memory we have put off the extension of expired tax provisions until the very last minute.

In 2012 revision provisions remained expired for an entire year before we finally extended them in January of 2013. Similarly, the previous extension of prior provisions did not occur until the middle of December.

Now, once again, we find ourselves heading into the month of December with tax extenders having been expired for nearly 11 months, and there is a lot of uncertainty that causes a slowdown to the economy when people don't know what the tax provisions are.

This is no way to do business. Such late action by Congress results in complications during filing season for taxpayers. That is a big problem for the IRS. We need to do something right now. It is almost too late to get tax preparers to know what to do for the next tax season. Obviously, tax season is unpleasant enough without our adding to it by failing to do our job in a timely fashion.

Once again, we have created a lot of headaches and uncertainty for individuals and businesses. This uncertainty harms investment and business growth; in other words, slowing the economy, as I previously said. This is bad for economic growth and does nothing to create the jobs that can come when we have more certainty for people who invest in capital and want to provide jobs.

The lapse of renewable energy incentives has also created a lot of uncertainty and slowed growth in the renewable energy. This only serves to hamper the strides made toward a viable, self-sustainable renewal energy sector.

It didn't have to be this way. The Senate Finance Committee, under the leadership of Chairman WYDEN and Ranking Member HATCH, did its job. We marked up an extenders package in early April. The Senate never took up that package because the majority leader refused to allow Republicans to offer amendments. And it happens that even a couple of amendments that were going to be adopted had wide bipartisan support. Rather than consider and advance the Finance Committee bill, the majority leader shelved the extenders bill because of fear that Members of his party might have to take tough votes.

With the election behind us, it is now time to get to work and get the extenders bill done. I understand that negotiations are ongoing between the House and Senate on this issue. I am encouraged by reports of progress being made. However, I am concerned about rumors that some are working to leave out or shorten the extension of the wind energy tax credit.

I fought this issue in the Finance Committee when one of the Members on my side of the aisle tried to strike that provision. But we had a bipartisan vote of 18 to 5 to defeat that amendment that would have struck the wind production tax credit from the bill that is now before the Senate.

It seems as though opponents of wind energy have tried at every turn to undermine this industry, and so I am not surprised that we are at it again, even considering the 18-to-5 vote in the Finance Committee.

I agree the Tax Code has gotten too cluttered with too many special interest provisions. That is the reason many of us have been clamoring for tax reform for years now. But just because we haven't cleaned up the Tax Code in a very comprehensive way doesn't mean we should pull the rug out from under domestic renewable energy producers. Doing so would cost jobs, harm our economy, the environment, and our national security.

I am glad to defend the wind energy production tax credit and continue to defend it. In fact, I can tell you that 22 years ago, when I first got this passed through the Congress to become law, I didn't think it would become the big thing it is. But there is a tremendous amount of energy being generated today by wind energy. Wind energy supports tens of thousands of American jobs. It has spurred billions in private investment in the United States, and it displaces more expensive and more polluting sources of energy.

More than 70 percent of U.S. wind turbines value is now produced in the United States, compared to just 25 percent prior to 2005.

Once again, opponents of the renewable energy provisions want to have this debate in a vacuum. They disregard the many incentives and subsidies that exist for other sources of energy and are permanent law. For example, the 100-year-old oil and gas industry continues to benefit from tax preferences that aren't generally throughout the economy for all businesses but only benefit their industry.

These are not general business tax provisions—I want to say that again—they are specific to oil and gas business. A few examples: Expensing for intangible drilling costs, deductions for tertiary injectants, percentage depletion for oilwells, special amortization for geological costs.

I am not going to find fault with that, but I will find fault with people who justify that, yet take on wind energy. These are four tax preferences for a single energy resulting in the loss of more than $4 billion annually in tax revenue.

Nuclear energy is another great example. The first nuclear powerplant came online in the United States in 1958. That is 56 years ago. Nuclear receives special tax treatment for interest from decommissioning trust funds.

Congress created a production tax credit for this mature industry in 2005,

which is going to be available until 2020. Nuclear also benefits from Price-Anderson Federal liability insurance that Congress provided. That was supposed to be a temporary measure in 1958, but this temporary measure has been renewed through 2025. Nuclear energy has also received $74 billion of Federal research and development dollars since 1950.

Are those crony capitalist handouts? Well, nobody seems to be attacking them. Is it time to end the market distortions for nuclear power? Well, nobody is talking about that. But they are talking about wind energy.

We had a Cato study about nuclear energy that said:

> In truth, nuclear power has never made economic sense and exists purely as a creature of government.

People are saying that about wind energy, but I don't hear the same people saying it about nuclear power.

I don't understand the argument that repealing a subsidy for oil and gas or nuclear energy production is a tax increase like the accusation against wind, while repealing an incentive on alternative or renewable energy is not a tax increase. So it is not intellectually honest.

As I said before, we have had wind incentives since 1992, and I am the father of that. I suppose now, after 22 years, you might say I am the grandfather of it. I know it won't go on forever. In fact, it was never meant to go on forever. And people in the wind energy even admit that today and talk about phaseouts.

I am happy to discuss a responsible multiyear phaseout of that wind tax credit. In 2012, the wind energy was the only industry to put forward such a phaseout plan. But any phaseout must be done in the context of comprehensive tax reform where all energy tax provisions are on the table, not just wind solely. And it should be done responsibly, over a few years, to provide certainty and ensure a viable industry.

It is time to put an end to the annual kabuki dance that is tax extenders. Good tax policy requires certainty that can only come from long-term predictable tax law. Businesses need the certainty in the Tax Code so they can plan and invest accordingly.

Moreover, taxpayers deserve to know that the Tax Code is not just being used as another way to dole out funds to politically favored groups. However, the only sound way to reach this goal is through comprehensive tax reform.

I agree there are provisions in extenders that ultimately should be left on the cutting room floor. But it is in tax reform—comprehensive tax reform—where we should consider the relative merits of individual provisions. Targeting certain provisions for elimination now makes little sense for those of us who want to reduce tax rates as much as possible.

Tax reform provides an opportunity to use realistic baselines that will allow the revenue generated from cutting back provisions to be used to pay for reductions in individual and corporate tax rates.

I look forward to working with my colleagues in the future to enact tax reform and put an end to the headaches and uncertainty created by the regular expiration of tax provisions. Right now our focus must be on extending current expired or expiring provisions to give us room to work towards that goal.

It is my hope that we can move quickly to reach a bipartisan, bicameral agreement that can quickly be enacted and that includes the wind energy tax provisions. Taxpayers have already waited too long.

What really gripes me about this whole argument is that people say they are for all of the above. I am for all of the above, I can say. You know, that means fossil fuels, that means all sorts of alternative energy, it probably includes conservation, and it includes nuclear. But when I see the people fighting the wind energy tax credit coming from petroleum and natural gas and from coal, I think of these people who say they are for all of the above, they are really for all of the below but for none of the above. And that is wrong and inconsistent.

I want a consistent, uniform tax policy for all forms of energy being extended right now.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. WALSH. Madam President, I ask unanimous consent that the previous order be modified so that the following nomination be added following Executive Calendar No. 962: Calendar No. 1008, with all other provisions of the previous order remaining in effect.

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

Mr. WALSH. 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. JOHNSON of Wisconsin. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PEPPER NOMINATION

Mr. JOHNSON of Wisconsin. Madam President, it is my privilege to recommend to the Senate the Honorable Pamela Pepper to be a U.S. district judge for the Eastern District of Wisconsin. Patty served with distinction and is the current chief judge of the U.S. Bankruptcy Court for the Eastern District of Wisconsin.

Although not native to our State, she has set down deep roots in Wisconsin, first serving in the Office of the United States Attorney for the Eastern District of Wisconsin, followed by private practice in Milwaukee and finally serving 9 years as a bankruptcy court judge.

Pam was born in the delta of Mississippi in a town called Leland. Her parents were both teachers and instilled in her an intellectual curiosity which has been apparent throughout her career. She migrated north for college and attended Northwestern University in Chicago, where she received a degree in theater.

After helping a friend get through the LSAT review course, she realized she might want to explore other careers and ended up taking the LSAT herself. She obviously had prepared herself well because she performed well on the LSAT and was accepted into the Cornell University School of Law.

After graduation, she clerked with distinction for Judge Frank Johnson on the Eleventh Circuit Court of Appeals and then moved on to become a prosecutor in the U.S. Attorney's Office in Chicago.

She is widely respected within her profession, evidenced by having held offices as the president of the Milwaukee Bar Association and the chairperson of the Board of Governors of the State Bar of Wisconsin. She is an instructor of national stature and speaks frequently on trial practice and evidence. She is currently an instructor at the Federal Judicial Center.

I have had the opportunity to speak to practitioners who have appeared before her bankruptcy court. They have told me of her patience with attorneys, which is a virtue of hers they all value.

Pam possesses a great sense of humor, which she often uses to put litigants at ease. She displays compassion in making tough decisions by explaining the rationale for those decisions clearly so her reasoning is understood by all. She has shown great dexterity in reacting to difficult situations in court with calm reasoning.

Finally, Pam has been described as a practical judge who promptly resolves disputes while faithfully adhering to the rule of law.

Pam's intellectual curiosity, her demonstrated ability to learn new areas of the law and efficiently administer her office, has convinced me she will continue to excel in her new role as a Federal district court judge. Judge Pepper has my full support, and I urge my colleagues to vote yes on her confirmation.

I conclude my remarks by thanking the hard-working members of our bipartisan nomination commission for their dedication and efforts.

I also thank Senator BALDWIN for her continued support of this successful nominating process that has once again resulted in the selection of a well-qualified jurist, Judge Pamela Pepper, who will serve the N and the Wisconsin Eastern District well.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. I rise this afternoon to urge my colleagues to confirm Judge Pamela Pepper for the U.S. District Court for the Eastern District of Wisconsin. I am delighted to once again join my colleague Senator JOHNSON on the floor to discuss this nomination.

The people of Wisconsin deserve to have experienced and highly qualified judges working for them, and I am proud to have worked with my colleague Senator JOHNSON and our judicial nominating commission to put in place this process for filling the critical Federal judicial vacancies in our State. I was pleased to join Senator JOHNSON in May of this year to support the confirmation of Jim Peterson, whom the Senate confirmed to a seat for a Federal judgeship in the Western District of Wisconsin. I am pleased to stand on the floor with my colleague today to speak in support of another terrific judicial nominee who will serve the people of Wisconsin well.

Judge Pepper is an outstanding bankruptcy judge, and she will be an outstanding U.S. Federal district judge.

As President Obama noted in making the nomination, ''Judge Pepper has a long and distinguished record of service, and . . . will serve on the federal court with distinction.''

Pam Pepper has indeed dedicated her professional career to public service. She has a distinguished career as a judge, Federal prosecutor, public defender, and attorney in private practice. She has spent that career dedicated to serving her clients and the people of the United States. I am confident she will continue her outstanding service on the bench, and the people of Wisconsin will benefit from having this experienced and dedicated public servant as a U.S. district judge.

As we have heard, she has served as the chief bankruptcy judge in the Eastern District of Wisconsin since 2010, having served as a bankruptcy judge in that district since 2005. She simultaneously served the people of the Southern District of Illinois as a bankruptcy judge during that same period. Judge Pepper has contributed significantly to the field of bankruptcy law and the continuing education of bankruptcy judges and practitioners.

Prior to her time on the bench, Pamela Pepper worked both as a solo practitioner engaged in criminal defense work and as a Federal prosecutor in the U.S. Attorney's Offices in Chicago and then Milwaukee.

Before becoming a bankruptcy judge, Pam Pepper also held numerous leadership positions within the legal community, including on the boards of the Federal Defenders Service of Wisconsin, the State Bar of Wisconsin, the Eastern District of Wisconsin Bar Association, and the Milwaukee Bar Association, just to name a few.

Senator JOHNSON and I strongly support Judge Pepper's nomination to the U.S. District Court for the Eastern District of Wisconsin. Our joint support of a judicial nominee should once again send a strong message to the entire Senate that she is the right choice for this judgeship.

I urge my colleagues to confirm judge Pamela Pepper so that she can continue her distinguished service to the people of Wisconsin and the people of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business until 2 p.m.

Mr. LEAHY. I thank the distinguished Presiding Officer.

IMMIGRATION

Mr. LEAHY. Madam President, as we know, tonight President Obama is going to speak to the American people about reforming our broken immigration system. I had dinner with him last night, and we talked about this. I think it is generally expected that he will announce what he can do to address some of the problems that are tearing families apart, dragging the U.S. economy down and risking our national security. For 2 years the Republican Speaker of the House of Representatives refused to even allow a vote on the Senate's bipartisan bill. Because of that, I understand and appreciate why the President is going to act.

There are currently 11 million undocumented immigrants living in the United States, but everybody knows we are not going to round up and deport 11 million people. It just can't be done. Even if it could be done, it would be totally un-American and against everything that we stand for. These are, after all, mothers and fathers, sisters and brothers, sons and daughters. They are not a number. They are real people. And the President's action will acknowledge that. It is a necessary step in an effort to bring people out of the shadows, focus scarce enforcement resources on those who actually pose a threat, and bring some stability to those who are hardworking, law-abiding members of our community. I would much rather have people who are taxpayers and know they are here legally, so we can concentrate on those who aren't. That is what the President wants to do.

President Obama knows there is no substitute for legislation. President Reagan and President Bush used a similar type of Executive order. It is a temporary and incomplete solution because legislation has to be passed. We have to step up and fix the broken immigration system once and for all, as we did in the Senate when Republicans and Democrats came together last year. But to those who say we should wait for Congress to act, I think we have waited long enough.

We have been waiting now for 511 days since the Senate passed immigration reform. That is 511 days, during which time the Republican-controlled House of Representatives could have taken up our bill—either voted for it or voted against it. The least they could do is vote. Vote ''yes'' or vote ''no.'' I think about what my friend and the former chairman of the Senate Judiciary Committee, Senator Edward Kennedy, said in the summer of 2007. We had comprehensive immigration reform before the Senate. It was being blocked by the Republicans. He said:

> A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority in the senate rejected America's own extraordinary immigrant history and ignored our nation's most urgent needs. But we're in this struggle for the long haul.

Senator Kennedy was right. That is why Democrats and Republicans came together to pass an immigration bill out of the Senate. I just ask why, 511 days later, has the Republican-controlled House refused to either vote for it or vote against it? We held days of hearings and lengthy, extensive markup sessions. We worked late into the evenings debating the bill. Many of us worked weekends. I remember, because I was there. We considered hundreds of amendments. More than 300 amendments were filed. We adopted 136 of them. All but three were adopted with both Republican and Democratic votes. What was initially a proposal from the so-called Gang of 8 became, through the committee process, the product of 18 Members from both sides of the aisle. The Senate Judiciary Committee recommended this improved bipartisan bill to the full Senate. It wasn't exactly the bill that I would have written, but it was a fair and reasonable compromise. It reflected the deliberative process at its best, and I felt honored to bring the bill to the floor.

But look what happened. Sixty eight of us voted to pass it, and the Republican Speaker of the House of Representatives will not even bring it up for a vote. To this day, the Republican leadership in the House is batting zero when it comes to truly addressing the broken immigration system.

The President is not acting alone. The American people support immigration reform. Remember that. The American people support immigration reform. A bipartisan majority of the Senate has endorsed action. It is the House of Representatives that is out of step. Our system is not going to fix itself. We know this. It should be no surprise that the President has decided to use his authority to make our country safer, stronger, and more humane. If Republicans really, truly want congressional action on reform, they can

take action today and allow a vote on the Senate-passed bill. I hope that every Member of the Republican Party who says that what the President is doing is terrible will also ask when House Republicans are going to vote one way or the other on the Senate's bill. Our bill would make everything the President is doing unnecessary. Remember that.

The President has the legal authority to take this action. Every President since Eisenhower has exercised this authority. Some, such as President George H.W. Bush, did so on a sweeping scale. We make laws in Congress. The President sets enforcement policies. He clearly has the power to take the scarce resources we have given him and identify and deport those people who pose a danger to our communities, and he can limit the deportation of those who are law-abiding, tax-paying members of the community.

Madam President, I ask unanimous consent for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Next week, millions of families in this country will gather around a table to give thanks for the many blessings they have received. I know my family and I and our children and our grandchildren will. The President's actions will be counted among those blessings for the millions of loved ones who worry that their mother, father or grandparents could be deported at any moment. The security the President's action will give these families on Thanksgiving is powerful and indispensable.

For some, it is about something even more urgent. It is about seeking safety. While I applaud the President's announcement today, I remain deeply disappointed by his decision to build a large new detention facility to hold vulnerable women and children fleeing violence in Central America. Many of these individuals are asylum seekers, not criminals, and their ongoing detention is unacceptable. I urge him to revisit this policy.

The action the President will announce today is going to draw criticism from those who sought to stop immigration reform at every turn. As a grandson of immigrants, I say that after years and years of obstruction, the President is right to take action. I am married to a woman who is the daughter of immigrants. At the heart of it all, this is about keeping America's communities strong and vibrant. We benefit from immigration. That has been our history. Let it be our future.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF PAMELA PEPPER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN

NOMINATION OF BRENDA K. SANNES TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK

NOMINATION OF MADELINE COX ARLEO TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

NOMINATION OF WENDY BEETLESTONE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOMINATION OF VICTOR ALLEN BOLDEN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT

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

The bill clerk read the nominations of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin; Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York; Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey; Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania; and Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

Mr. LEAHY. Mr. President, today we will vote on five outstanding judicial nominees to our Federal district courts. I thank the majority leader for filing for cloture on these nominees so we can clear the backlog that still remains on our executive calendar as we move toward the end of the 113th Congress. After we vote on these nominees today, however, we will still have 21 judicial nominees pending on the executive calendar to serve on district courts, the U.S. Court of Federal Claims, and the U.S. Court of International Trade.

The five nominees the Senate will vote on today are all well-qualified lawyers and there should be no controversy about their confirmation. Four of these nominees: Pamela Pepper to the Eastern District of Wisconsin, Brenda Sannes to the Northern District of New York, Madeline Arleo to the District of New Jersey, and Wendy Beetlestone to the Eastern District of Pennsylvania were reported by the Judiciary Committee by unanimous voice vote and have the support of their home State senators.

The fifth nominee, Victor Bolden, who has been nominated to the District of Connecticut, also has the strong support of his home State Senators, Mr. BLUMENTHAL and Mr. MURPHY. Mr. Bolden's credentials are impeccable. Since 2009, he has served as corporation counsel for the city of New Haven, CT. Prior to joining city government, Mr. Bolden served as general counsel and assistant counsel for the NAACP Legal Defense & Educational Fund. He has also served in private practice as an associate and counsel at the law firm of Wiggin & Dana in New Haven, CT. After graduating from Harvard Law School, Mr. Bolden began his legal career at the American Civil Liberties Union as a staff attorney and as the Marvin Karpatkin Fellow.

During the Judiciary Committee executive business meeting where Mr. Bolden's nomination was considered, the ranking member commented that he was troubled by the nominee's views on racial classifications and his advocacy on affirmative action. The ranking member also noted that he did not agree with the nominee's criticisms of the Supreme Court's decision in Shelby County v. Holder. Finally, the ranking member criticized Mr. Bolden because he argued the nominee ''took a narrow and legally incorrect view of individual rights under the Second Amendment in an amicus brief in Heller.'' The committee voted to report Mr. Bolden's nomination favorably on a 10-to-8 party-line vote.

Let me address each of the issues raised by Ranking Member GRASSLEY. First, in cases where Mr. Bolden has advocated for a specific position in which a Senator may disagree, Mr. Bolden was representing a client and not expressing his own personal views. As chairman of the Judiciary Committee, I have stated repeatedly that attorneys should not be equated with the position of their clients. Our legal system is predicated upon zealous advocacy for both sides of an issue or matter. Without this, our justice system would not function. Victor Bolden understands the difference between the role of an advocate versus the role of a judge. In response to a question for the record from Senator GRASSLEY on applying Supreme Court and Circuit Court precedents, Mr. Bolden testified: ''I am fully committed to following the precedents of higher courts faithfully and giving them full force and effect, regardless of any personal feelings I might have.''

Second, not only has Mr. Bolden testified under oath about this distinction, but he has shown that he would apply and implement orders from a higher court. In Ricci v. DeStefano, Mr. Bolden represented the city of New Haven as corporation counsel. In that case, several White firefighters and one

Hispanic firefighter sued the city of New Haven in 2003, alleging racial discrimination after the city threw out the results of an exam used for promotion of the city's firefighters. The test results had shown that White firefighters had outperformed minority applicants. The Supreme Court ultimately ruled against New Haven and held that the city's abandonment of the test results constituted intentional discrimination against the White firefighters. Mr. Bolden subsequently helped ensure that the city complied with the Court's order and defended the decision against collateral attacks.

To his credit, Mr. Bolden did such an outstanding job of ensuring compliance with the Supreme Court's decision that the named plaintiff—firefighter Frank Ricci—wrote a letter strongly supporting Mr. Bolden's nomination. Let me quote some of this letter:

> It was apparent to me from our initial dealings whether as a plaintiff or union representative that the Mayor had made a great choice in the selection of the new Corporation Counsel. Although Victor represented the City and therefore would be naturally presumed an adversary it never felt that way. Through the remainder of the litigation from the U.S. Supreme Court decision to the final judgments Victor displayed and has always displayed the attributes one could hope for in a jurist. He's always conscious that there are real people affected by decisions that are made but he is also very deliberate in those decisions with an unwavering commitment to the law. Victor is a consummate professional with unquestionable integrity. These observations are not limited to me but have been the topic of many discussions between me and others, including those inside and outside the fire service. I cannot think of anyone who would make a finer addition to our federal judiciary than him. And I could not have a greater honor than to write this correspondence supporting that.

I ask unanimous consent to have printed in the RECORD the full letter of support.

Third, Mr. Bolden's criticisms of the Supreme Court's decision in Shelby County v. Holder in a 2013 editorial were shared by a substantial number of legal scholars and Senators, including me. As I have said, the Shelby County decision was a dreadful decision and wrongly decided. A narrow majority of the Court decided to substitute its own judgment over the exhaustive legislative findings of Congress showing that racial discrimination in voting still occurs. Instead, the Court chose to effectively strike down the heart of the Voting Rights Act by holding that the coverage formula for preclearance was outdated. I authored a bipartisan bill along with Congressmen SENSENBRENNER and JOHN LEWIS on this, but to this date, not a single Senate Republican has signed on. In short, I believe that Victor Bolden's views on voting rights are well within the mainstream. Nevertheless, Mr. Bolden has stated for the RECORD that he "would faithfully apply Supreme Court and Second Circuit precedent" on the issue.

Lastly, Mr. Bolden has been criticized for authoring an amicus brief on behalf of the NAACP Legal Defense and Educational Fund in District of Columbia v. Heller. At the time Mr. Bolden authored the amicus brief, the controlling precedent in the Supreme Court's jurisprudence was United States v. Miller, which did not hold that there was an individual right to bear arms outside of the context of a "well regulated Militia." Accordingly, the brief that Mr. Bolden filed actually cited to Supreme Court precedent that was controlling on the issue at the time. Now that the Supreme Court has decided Heller, Mr. Bolden has testified under oath that he "would faithfully apply the Supreme Court's decision in District of Columbia v. Heller and other Second Amendment jurisprudence" and all other areas of the law.

Senators should not vote against Mr. Bolden for advocating on behalf of a client using the applicable Supreme Court precedent at the time. I have heard that some Senators have been continuing to distort Mr. Bolden's record on the Senate floor during his cloture vote. I can only hope that these distortions and fabrications are dismissed as they rightly should be.

Mr. Bolden is an outstanding nominee and a substantial majority of the ABA Standing Committee on the Federal Judiciary has also rated him "well qualified." I wholeheartedly support this nominee and would strongly urge my fellow Senators to do the same.

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

JULY 25, 2014.

Hon. PATRICK J. LEAHY,
Chairman, Senate Judiciary Committee, U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY: I write this correspondence with great excitement and enthusiasm to support the nomination and appointment of Attorney Victor Bolden to the U.S. District Court of Connecticut.

I have known and worked with Attorney Bolden for more than 5 years. I first met him around the time that he was appointed Corporation Counsel for the City of New Haven. Our first interactions surrounded an ongoing legal matter that I was the lead plaintiff, Ricci et al. v. DeStefano et al.

As a member, representative and current Secretary-Treasurer of New Haven Fire Fighters IAFF Local 825, positions I've held for over 16, these were challenging times. Emotions and frustrations surrounding this issue were somewhat raw to say the least. The relationship between the plaintiffs, union and the City, especially the Corporation Counsel was completely broken and seemed irreparable.

Luckily that was about to change. It was apparent to me from our initial dealings whether as a plaintiff or union representative that the Mayor had made a great choice in the selection of the new Corporation Counsel. Although Victor represented the City and therefore would be naturally presumed an adversary it never felt that way. Through the remainder of the litigation from the U.S. Supreme Court decision to the final judgments Victor displayed and has always displayed the attributes one could hope for in a jurist. He's always conscious that there are real people affected by decisions that are made but he is also very deliberate in those decisions with an unwavering commitment to the law. Victor is a consummate professional with unquestionable integrity. These observations are not limited to me but have been the topic of many discussions between me and others, including those inside and outside the fire service. I cannot think of anyone who would make a finer addition to our federal judiciary than him. And I could not have a greater honor than to write this correspondence supporting that.

If you have any questions or there is something more that you feel I could be helpful with please do not hesitate to contact me.

Respectfully,

LT. FRANK RICCI.

VOTE ON PEPPER NOMINATION

The PRESIDING OFFICER. Prior to the vote, there will be 2 minutes of debate on the Pepper nomination.

Mr. LEAHY. I ask unanimous consent that all time be yielded back.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 288 Ex.]

YEAS—95

Alexander	Fischer	Merkley
Ayotte	Flake	Mikulski
Baldwin	Franken	Moran
Barrasso	Gillibrand	Murkowski
Begich	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Harkin	Nelson
Blunt	Hatch	Paul
Booker	Heinrich	Portman
Boozman	Heitkamp	Pryor
Boxer	Heller	Reed
Brown	Hirono	Reid
Burr	Hoeven	Risch
Cantwell	Inhofe	Roberts
Cardin	Isakson	Rockefeller
Carper	Johanns	Rubio
Casey	Johnson (SD)	Sanders
Coats	Johnson (WI)	Schatz
Coburn	Kaine	Schumer
Cochran	King	Scott
Collins	Kirk	Sessions
Coons	Klobuchar	Shaheen
Corker	Leahy	Shelby
Cornyn	Lee	Stabenow
Crapo	Manchin	Tester
Cruz	Markey	Thune
Donnelly	McCain	Toomey
Durbin	McCaskill	Udall (CO)
Enzi	McConnell	Udall (NM)
Feinstein	Menendez	

Walsh
Warner
Warren
Whitehouse
Wicker
Wyden

NOT VOTING—5

Chambliss
Hagan
Landrieu
Levin
Vitter

The nomination was confirmed.

VOTE ON SANNES NOMINATION

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

Mr. REID. I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 289 Ex.]

YEAS—96

Alexander
Ayotte
Baldwin
Barrasso
Begich
Bennet
Blumenthal
Blunt
Booker
Boozman
Boxer
Brown
Burr
Cantwell
Cardin
Carper
Casey
Coats
Coburn
Cochran
Collins
Coons
Corker
Cornyn
Crapo
Cruz
Donnelly
Durbin
Enzi
Feinstein
Fischer
Flake
Franken
Gillibrand
Graham
Grassley
Harkin
Hatch
Heinrich
Heitkamp
Heller
Hirono
Hoeven
Inhofe
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kaine
King
Kirk
Klobuchar
Leahy
Lee
Levin
Manchin
Markey
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Moran
Murkowski
Murphy
Murray
Nelson
Paul
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Sanders
Schatz
Schumer
Scott
Sessions
Shaheen
Shelby
Stabenow
Tester
Thune
Toomey
Udall (CO)
Udall (NM)
Walsh
Warner
Warren
Whitehouse
Wicker
Wyden

NOT VOTING—4

Chambliss
Hagan
Landrieu
Vitter

The nomination was confirmed.

VOTE ON ARLEO NOMINATION

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

Mrs. BOXER. I ask unanimous consent to yield back all time.

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

The question is, Will the Senate advise and consent to the nomination of Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey?

The nomination was confirmed.

VOTE ON BEETLESTONE NOMINATION

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

Mr. LEAHY. I ask unanimous consent that all time be yielded back.

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

The question is, Will the Senate advise and consent to the nomination of Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

The nomination was confirmed.

VOTE ON BOLDEN NOMINATION

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

Mr. CARPER. I ask unanimous consent to yield back all time.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CRUZ), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 290 Ex.]

YEAS—49

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

NAYS—46

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

NOT VOTING—5

Chambliss
Cruz
Hagan
Landrieu
Vitter

The nomination was confirmed.

Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NOMINATION OF JAMES D. PETTIT, 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 MOLDOVA

NOMINATION OF PAMELA LEORA SPRATLEN, 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 UZBEKISTAN

NOMINATION OF TAMARA WENDA ASHFORD TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS

NOMINATION OF L. PAIGE MARVEL TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS

NOMINATION OF CARY DOUGLAS PUGH TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS

NOMINATION OF RAMIN TOLOUI TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY

NOMINATION OF LISA AFUA SERWAH MENSAH TO BE UNDER SECRETARY OF AGRICULTURE FOR RURAL DEVELOPMENT

NOMINATION OF GEORGE ALBERT KROL, 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 KAZAKHSTAN

NOMINATION OF LUIS G. MORENO, 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 JAMAICA

NOMINATION OF DONALD LU, 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 ALBANIA

NOMINATION OF BRENT ROBERT HARTLEY, 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 SLOVENIA

ROBERT M. SPEER TO BE AN ASSISTANT SECRETARY OF THE ARMY

The PRESIDING OFFICER (Ms. WARREN). Under the previous order, the Senate will consider the following nominations, which the clerk will report.

The assistant bill clerk read the nominations of James D. Pettit, of Virginia, 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 Moldova; Pamela Leora Spratlen, 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 Republic of Uzbekistan; Tamara Wenda Ashford, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years; L. Paige Marvel, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years; Cary Douglas Pugh, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years; Ramin Toloui, of Iowa, to be a Deputy Under Secretary of the Treasury; Lisa Afua Serwah Mensah, of Maryland, to be Under Secretary of Agriculture for Rural Development; George Albert Krol, of New Jersey, 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 Kazakhstan; Luis G. Moreno, of Texas, 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 Jamaica; Donald Lu, 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 Republic of Albania; Brent Robert Hartley, of Oregon, 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 Slovenia; and Robert M. Speer, of Virginia, to be an Assistant Secretary of the Army.

VOTE ON PETTIT NOMINATION

The PRESIDING OFFICER (Ms. WARREN). Under the previous order, there will be 2 minutes of debate prior to a vote on the Pettit nomination.

Mr. MENENDEZ. I yield back all time on the nominations.

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

The question is, Will the Senate advise and consent to the nomination of James D. Pettit, of Virginia, 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 Moldova?

The nomination was confirmed.

VOTE ON SPRATLEN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Pamela Leora Spratlen, 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 Republic of Uzbekistan?

The nomination was confirmed.

VOTE ON ASHFORD NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Tamara Wenda Ashford, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years?

The nomination was confirmed.

VOTE ON MARVEL NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of L. Paige Marvel, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years?

The nomination was confirmed.

VOTE ON PUGH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Cary Douglas Pugh, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years?

The nomination was confirmed.

VOTE ON TOLOUI NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Ramin Toloui, of Iowa, to be a Deputy Under Secretary of the Treasury?

The nomination was confirmed.

VOTE ON MENSAH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Lisa Afua Serwah Mensah, of Maryland, to be Under Secretary of Agriculture for Rural Development?

The nomination was confirmed.

VOTE ON KROL NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of George Albert Krol, of New Jersey, 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 Kazakhstan?

The nomination was confirmed.

VOTE ON MORENO NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Luis G. Moreno, of Texas, 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 Jamaica?

The nomination was confirmed.

VOTE ON LU NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Donald Lu, 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 Republic of Albania?

The nomination was confirmed.

VOTE ON HARTLEY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Brent Robert Hartley, of Oregon, 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 Slovenia?

The nomination was confirmed.

VOTE ON SPEER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Robert M. Speer, of Virginia, to be an Assistant Secretary of the Army?

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.

MARVEL NOMINATION

Mr. CARDIN. Madam President, I would like to say a few words of congratulations to these nominees and particularly to Judge Paige Marvel, a great Marylander, on her reappointment to the Tax Court.

As we know, the Tax Court serves a crucial role in this country's tax system. It is a highly specialized court that provides an important forum in which taxpayers can dispute determinations by the IRS. Tax Court judges have the difficult task of ably and fairly analyzing the highly technical legal issues that arise under our complex tax code.

At the close of Judge Marvel's first term on the U.S. Tax Court, I was a strong supporter of her reappointment, and I am an equally strong supporter of her confirmation. Judge Marvel has served on the court with distinction, and it is in the best interests of this country to keep someone with her integrity and expertise on the Tax Court bench. This integrity and expertise was also apparent prior to Judge Marvel's assumption of her current office. I worked extensively with her on a variety of issues when I served in the Maryland General Assembly in Annapolis.

My colleagues on the Finance Committee, including Chairman WYDEN and Ranking Member HATCH, have worked hard and in a bipartisan manner to bring these nominations forward, for which I am grateful. And, I am extremely proud that a fellow Marylander has been nominated to continue the important work of fairly interpreting and applying our tax laws, which affect the lives of every American citizen and resident.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from New Jersey.

REPRESENTING OUR COUNTRY ABROAD

Mr. MENENDEZ. Madam President, very briefly, I appreciate working on both sides to be able to have what is a distinguished set of career ambassadors go to their posts and represent our country abroad, and I hope we can continue on this march as we move toward the end of the session.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING GOVERNOR DAVE HEINEMAN

Mr. JOHANNS. Madam President, I rise today to honor the service of a dedicated leader in my home State of Nebraska.

Governor Dave Heineman has guided our State during the past 10 years with vision and with laser-like focus on efficient government, economic vibrancy, education, and protecting our families.

Under his leadership and careful management, our State held strong through the economic downturn. During that time, the national spotlight shown very brightly on Nebraska as one of the healthiest States, guided by Dave Heineman's very steady hand, to ensure we remain debt-free and fiscally sound. But the Governor did far more than hold the line on spending and balancing the books of our great State. He provided historic tax relief, bolstered education in our State, and he sent a signal worldwide that Nebraska welcomes new business through enhanced economic development incentives. It is not surprising that Nebraskans' enthusiastically elected and then reelected Dave Heineman to the post, giving him the proud distinction of being our longest serving Governor in the history of our State.

I had the privilege of working side by side with Dave Heineman back in my days as Governor of Nebraska. I was so proud to have him as my Lieutenant Governor in my second term, and I was always grateful for the job he did directing the State's homeland security efforts.

We would have to flip the history books back to 1990, nearly 25 years ago, to see when he was first elected to public office as a member of the Fremont, NE, city council. Four years later, he was elected to his first statewide office to serve as our State treasurer. I was mayor of the city of Lincoln at the time, and I enjoyed watching Dave step onto the statewide stage with enthusiasm and determination. He wanted to get things done.

Nebraskans would nod their head in agreement with the assertion that he remains as determined today, in the last days of his time in office, as the very first day he walked in.

I should note he first served the public as a member of our Armed Forces, having spent 5 years in the U.S. Army after graduating from the U.S. Military Academy at West Point. As anyone can tell you, it is easy to spot those West Point influences even today. All of those experiences prepared him so well to serve as our Governor. I had absolutely no doubt about his ability to step into the role when I was confirmed as the U.S. Secretary of Agriculture. I passed the baton to Dave with immense confidence, and indeed he took the helm and never missed a beat. It is difficult to believe that was 10 years ago. I think both of us have a lot more gray hair to show for it, but we also have something more valuable than gold: the honor of having been entrusted to lead and to serve the best State of the United States. I know Governor Heineman has worked each day to prove worthy of that trust, as I have also. His nearly 25 years of distinguished service required strength of character and fortitude.

Throughout that service and long before it began, Dave has had a wonderful partner in his life, Sally Ganem. Our First Lady is impressive and accomplished. She is a woman in her own right, having served as principal of an elementary school and now leading numerous volunteer and literacy efforts. She has supported Dave every step of the way on a public service journey that offers a shining example for others to follow. Thus, it is fitting that we have never before had a Governor whose service spans 10 years, and we may never have that again.

On behalf of a grateful State and a grateful nation, I offer my sincerest gratitude for the dedicated leadership Governor Heineman has provided to our great State of Nebraska.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

IMMIGRATION

Mr. INHOFE. Tonight there will be a speech. I think everyone is aware of that. I think we all know pretty much what the President of the United States is going to say.

I would like to read the oath of office that any President of the United States has to take, and this President has taken this oath in an affirmative way for—I ask unanimous consent to speak as in morning business.

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

Mr. INHOFE. Tonight we have the President's speech, and I would like to recite one more time what every President has to say and has to affirm before he becomes President.

> I do solemnly swear or affirm that I will faithfully execute the Office of the President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.

I think people are overlooking this because they know what to expect tonight. They know what is going to happen. They know the President is going to do something that in the eyes of most people—and I have to say that most of the people I talk to are from my State of Oklahoma. They have a lot of common sense and ask the question: Is this illegal, what we are about to witness?

The President is bound by the Constitution to ensure the laws on the books are being carried out in a manner that is true to the law that is written and passed by Congress. It is his duty, his obligation. That was envisioned by our Founding Fathers.

As any school-aged kid or any of my grandchildren would say, laws are made in Congress and signed into law by the President. Once bills become law, the President's constitutional duty is triggered at that point, no matter who holds the office or how that person feels about the particular law. If a President finds a law problematic, then this is how he has to address that problem: He has to work with Congress to change the law. He does not have the authority to unilaterally declare that law not to apply to millions of Americans, which is what I think we are going to witness tonight. That is exactly what the President is doing.

He issued ultimatums to Congress: Pass what I want or else. We heard that. We heard those words. When Congress and the American people push back against him, he charges forward with Executive orders that are written and executed behind closed doors. Let's remember that at the time this President first took office, his big thing was transparency. He wants people to know what is going on and not have any surprises. Yet this is what is happening: These Executive orders are taking the place of those laws that are passed by Members who are elected to the House and to the Senate.

He says the reason for this is he is tired of waiting on an immigration system that is broken. Those are his words. He has taken action because Congress won't. That is not the way it works. A Congress that has had—by the way, he had a Democratic majority the first 2 years in the House and Senate and the White House. He can't say we are not doing it. He is certainly not referring to Republicans. These are the excuses for doing what he is doing.

Some claim he is not doing anything different from what President Ronald Reagan or President George H.W. Bush did. I think it is very important, very briefly, to show you that is not true at all.

In 1986 Congress passed and President Reagan signed into law the Immigration Reform and Control Act, which gave amnesty to close to 3 million illegal immigrants. Amnesty was granted by statute, not by Executive order. That was a law which was passed and which the President signed and agreed to.

Soon after, the people realized the children of these immigrants—who were still eligible for deportation—were simply overlooked. The fact is, if there is a husband and a wife and they are able to go ahead and become naturalized citizens, their underaged children would have to be as well. Everyone agreed, no one disagreed, and so they went ahead and did it. That was working with Congress. Congress made that decision with the President of the United States.

In 1990 President Bush expanded President Reagan's grant of deferred deportation to all minor children and to the spouses of those who were granted amnesty in the 1986 law, and Congress codified the policy later that year in the Immigration Act of 1990. So it wasn't George H.W. Bush who did this; it was the Congress of 1990 that did this. We are not talking about the same thing at all.

In the case of both Reagan and Bush, they worked with Congress and interpreted a statute. That is not what is happening now. President Obama is creating a law on his own as to how he wishes the law would be. He has no authority to do it. We are going to see this tonight, and I think we need to have this in our background in what we are looking for.

As we saw with his previous amnesty—that was 2012; we remember that, about 2½ years ago—this new Executive amnesty will encourage more people to come here and break the laws.

This year, thanks to President Obama's Executive order—called the deferred action for childhood arrivals, DACA—Americans watched as unaccompanied alien children—that is, the UAC—poured over our southern border seeking the same amnesty others had been given. Who is to say the President won't give them that? It is reported that tonight he will be changing the qualifications of the DACA to include even more.

What happened then is really worse than what is happening now and going to be announced tonight because at least tonight they are talking about 5 to 6 million people who are going to be granted amnesty, and what he did before in encouraging the young people to get here to the United States—we don't know where they are today or how many there are.

In my State of Oklahoma—Fort Sill in Lawton, OK—we have a base that was given several hundred of these young children. They are under 18 years of age. They were told they were to house these children until January. It worked out pretty well because we were in the middle of building some buildings down there, and so we had a place for them for a temporary period of time. They were supposed to be released in January. I went down there in October, and they were already gone. They didn't really know where they were, but they were gone. Even to this day, if you call up and talk to the commander down there, they will tell you they don't know for sure where they are.

To go even further into this, I went to the Texas border, where I went to a center called Los Fresnos. There are 18 IES facilities on the southern border. It is not just in Texas but all—I think 13 of those are in Texas. I went down there to see the process they used. I talked to the Border Patrol. The Border Patrol told me they are instructed to—and they did—send the kids as they came to the various facilities, these 18 facilities. So I went to the one that I believe is the largest. It is called Los Fresnos. It is on the southern border on the eastern side of Texas. They weren't very happy about this. I went in and took a bunch of pictures to see what was going on there. I found out that they had a facility that had 200 beds. They had 200 beds. That is a very small number of people.

I asked the question: How many kids are coming through here?

They said: Thousands.

I said: How many in the last 6 months?

They said: Well, several thousand.

Let's keep in mind they can only bed down 200 people. Thousands have come through.

We came back to trace where these thousands actually ended up. We were not able to find out. You can find that they have a Web site saying how many States received how many kids. We have no way of verifying if that is true. For all we know, there are hundreds of thousands of kids out there, and we don't know where they are.

Those people who are concerned about 5 to 6 million people tonight, keep in mind that it is really much more than that. On that number, the issue we have is we don't know where the children eventually end up, and the administration does not have to notify the local governments of their presence. There are counties that are published as to how many are in a county. We don't know their names.

Interestingly, when I was at Los Fresnos on the border, I talked to a lot of the kids who were being brought into this country. Those kids—each one had a story, and you could tell it was a rehearsed story: I have parents who live in California. I have a dad who lives in New York. They all had a story down as if they are coming back.

Keep in mind—these are kids who came not from Mexico but through Mexico. We heard only yesterday some of the atrocities, the things that had happened to some of these kids—the raping, the killing, all of that—as they were making the transition through Mexico.

They publish online what States they end up in, but we don't know the numbers, whether these are verified numbers or if we are taking their word for it.

Something is going on, and even I, as a Member of the Senate, have gone down there two separate times to Los Fresnos and still don't know the answer to the questions that I get from people in Oklahoma who are very much concerned about this. Who monitors to ensure that they remain and show up for court? If they evade the law long enough,—and they know now they can evade the law; if the President can do it, they can do it—then amnesty will eventually be received by them.

We have immigration laws that are going to be ignored. What does this say to the immigrants who are coming into America and applying for citizenship in accordance with the law?

I have been honored several times to go and be the speaker at naturalization ceremonies in my State of Oklahoma. I

will tell you, you cry when you look out there. You see a couple hundred people who have come to this country, gone through the system, studied the history—and I would suggest those people up for naturalization probably know the history much better than people who are born here in this country. They learn the language. They go through all these things, and finally they become citizens of the United States. That is the legal way to do it. What are their thoughts right now after all they have gone through and the doors are open for anyone to come through? Is that compassion for those people? I don't think so. Compassion is acknowledging and respecting the millions who adhere to our laws and achieve citizenship.

But here is the thing. When you stop being a nation based on the rule of law, you are at the mercy of one man and his whims. It sounds exactly like something our Founding Fathers were looking to avoid and escape. I think that is the problem we have. I have people asking me: Why is the President breaking the law with regularity? Does he not have to obey the law the same as we do?

Well, as you know, there is a lawsuit that is being processed over on the House side. But we also know this: Anyone who comes who has 2 years left in his term knows if something is starting the process to determine whether action is legal, it would be probably 5 or 6 years before that case would be decided. By that time he is long gone.

I want to mention one thing that is specific. People say: Well, how can you say the President is breaking the law? He does break the law. He breaks it all the time. One of the things I have been concerned about for a long period of time is keeping the installation named Guantanamo Bay—called Gitmo—keeping it open. It is the only place that we can keep the type of terrorists we have down there. It is one, I think, that has worked out well. But somehow there is the obsession that this President has—he wants to close Gitmo, Guantanamo Bay.

Knowing that, I put an amendment on the Defense authorization bill in 2014. If anyone wants to look it up, it is section 1035(d) of the 2014 National Defense Authorization Act, the NDAA. It specifically states—anticipating that the President would start releasing these people from Guantanamo Bay without authority, we put into law that the President shall notify Congress not later than 30 days before the transfer or release of any Guantanamo Bay detainee.

What did we find out? The President, without notifying anyone, released probably the five—in fact, not probably, certainly the five very worst of the terrorists who were being kept down there. In fact, one of their names was Mohammad Fazl. One of the Taliban commanders, whose name is Mullah Salem Khan, made this statement—this is right after the President released the five terrorists. We do not know where they are, whether they are killing Americans, where they are right now.

He said, ''Mohammad Fazl, his returning is like pouring 10,000 Taliban fighters into the battle on the side of Jihad. Now the Taliban has the right lion to lead them in the final moment before victory in Afghanistan.''

So that is another issue altogether. These people are released to come back and kill Americans. But the point is, that law was aimed specifically at the President that he cannot do that. He did it. So when I see these things happen, I think I have never seen this before.

I am not a real student of history, but certainly I have read an abundant amount of the history of this institution as well as the President and what is going and what should go on in Washington and what our Founding Fathers envisioned. Our Founding Fathers never envisioned they would have a President who would blatantly break the law, specifically break the law.

That is what is happening now. That example is just one of many I could give. So enjoy the speech tonight. I think you are going to see that another one of our laws looks as though it is going to be broken. That would be our immigration laws that are on the books now.

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

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

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican leader.

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

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

The Republican leader is recognized.

TRIBUTE TO DENZEL MCGUIRE

Mr. MCCONNELL. Mr. President, I would like to say a few words about a staffer I will be very sad to lose tomorrow. Denzel McGuire is one of the most genuine people you will ever meet. She always has a smile on her face and a ready joke, and she is the only Senate staffer I know of who can plan on—listen to this—a personal birthday song from Speaker BOEHNER every year. She also has a determination that is as strong as steel. She is a master at negotiating. And all Members—even the Speaker—have learned it is wise to stay in her good graces.

Denzel has worked for some of the most respected Members of this body, including Jon Kyl and Judd Gregg. She has taken on some of the thorniest issues over her more than 20 years here in Congress.

In this job you get accustomed to hearing bad news, but what I tell people is that if I have to hear bad news from someone, I would rather have it come from Denzel. She always has a plan moving forward, and there is usually a joke slipped in there as well.

Denzel is too modest to say so herself, but she has been in the middle of a lot of big legislative battles around here. She has been in the mix on pretty much everything you could imagine that has to do with budgets and government funding issues—in other words, pretty much everything. She has also worked a lot of late nights. She has plenty of war stories, but she has never lost her optimism or her good humor. Now, that is no mean feat.

I am really going to miss Denzel, but she has more than earned a break, and I wish her nothing but the best as she moves on to the next chapter in her life. I am sure she will be a great success.

TRIBUTE TO CHRIS DOBY

Mr. MCCONNELL. Mr. President, I would also like to say a quick word about Chris Doby, the Senate financial clerk, who will be leaving us soon after more than three decades of service.

Chris came to the Senate in 1983 after graduating from Radford University. He was a junior auditor back in those days. Today he has a broad range of duties. He has weathered a lot of storms. He is also one of the most popular guys in the Senate because he is responsible for making sure everybody gets paid. But Senators' staffs are not the only ones who have nice things to say about Chris. His colleagues praise his sincerity, his steady hand, his confidence, and his friendliness.

Chris is the consummate family man. He has three daughters: Colleen, Caroline, and Courtney; a grandson he adores; and a wife of 31 years, Cathy. I know he is looking forward to spending more time with all of them. He is probably looking forward to the end of his daily commute too. It is a 2-hour trek from the District to his home in Virginia. That is 2 hours each way, every day. I understand that Cathy has a to-do list for Chris that is a mile long, so we know he will have a lot on his plate when he leaves here. But we thank him for his long and dedicated service in the Senate.

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

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

TRIBUTE TO MICHAEL KENNEDY

Mr. HATCH. Madam President, I wish to take a moment to pay tribute to my former chief of staff, Michael Kennedy. In my 38 years as a Senator, I have

seen many talented staffers come and go, but few have left such a lasting impression as Michael. He is someone for whom I have a deep appreciation and much respect. That is why it was so difficult for me when I learned Michael would be leaving my office to pursue an opportunity in the private sector. I had come to rely so much on his counsel, his leadership, and his savvy. It was very difficult and hard to let him go. I know I speak for everyone on my staff when I say Michael will be sorely missed.

Before Michael came to my office, he was living in Salt Lake City and working at Utah State University as the vice president for Federal and State relations. Under his leadership, that university developed its first professional program, secured critical line-item funding, enhanced its footprint and resource portfolio, and became a key player in facilitating the merger of two Utah schools.

Michael was also the point man for all matters related to Capitol Hill and the Utah State legislature. His reputation for hard work and integrity helped him craft strong relationships throughout the State. He knew the landscape, customs, and culture of Utah better than almost anyone. His experience and his reputation proved invaluable to me.

I know these tributes sound like eulogies with the way we talk about people as if they had already passed on. Considering how hard Michael worked, I am surprised this isn't his eulogy. His energy and work ethic always amazed me, as did his sense of style. Perhaps the only thing sharper than Michael's mind was his wardrobe. Few people can pull off a navy suit with pink lining and silver cufflinks, but Michael did so with ease. Of course, you might not know Michael was such a sharply dressed staffer because his boss usually stole the fashion spotlight, and after Washingtonian magazine named me the best-dressed man in Congress, I can only hope that some of my style rubbed off on him. However, if people knew how little I paid for my clothing, I think they might want to take back that honor.

Michael took a pay cut when he joined my staff nearly 4 years ago, and he always joked that his next job would be as an unpaid summer intern. I like to think Michael's financial sacrifice was emblematic of his desire to serve the State of Utah and improve this great country through the Senate. His willingness to serve was most evident in the way he always put the needs of constituents and staff above his own.

Michael's dedication to my staff was only surpassed by his dedication to his family, and I truly believe he owes his success to the constant support of his wife Natalie—an absolutely beautiful woman whom I have been blessed to know. Natalie and her family have been friends of mine since she was young. Natalie grew up as a friend of my children, so naturally I felt protective and wanted the best for her.

When she announced her engagement to Michael, Elaine and I were delighted. Still, I was surprised that someone as impressive as Natalie would agree to Michael's engagement proposal. I guess to his long list of talents and accomplishments, we could add marrying out of his league.

I was very grateful that Natalie knew very well the rigors and intensity of serving on a Senate staff, having worked previously with Senator Bob Bennett. Not only was she an invaluable support to Michael, she was also there to help me in any way she could. She was wonderful.

While Michael was serving as my chief of staff, Natalie gave birth to their daughter Emily—or as I like to call her ''Sweet Pea.'' Shortly after her birth, Michael's family gathered in my Capitol office and gave Sweet Pea a father's blessing, as is the tradition in our faith. It was a sacred experience for Elaine and me to join Michael and Natalie and both their families for that special occasion.

Michael's family wasn't the only one to grow in the time he was with me. During those few years, we had 12 new babies and 4 spouses added to the families of our staff. Whenever there was a birth or marriage, Michael went out of his way to make sure they were taken care of. He fostered an atmosphere of camaraderie, friendship, and family friendliness that was critical for my office's ability to serve the people of Utah. People always knew he was genuinely concerned for them and their needs as they tried to adjust to the wonderful changes of a growing family.

Nevertheless, I know there were plenty of times when Michael would rather have been with Natalie than with me. One particular instance comes to mind. During the end of the 112th Congress, Michael and I rang in the new year together during an extended voting session. Michael bought a bottle of blue Powerade from the downstairs vending machine here at the Capitol, and we counted down the seconds on my Senate clock. I knew he wanted to be with his family, but I was grateful for his sacrifice in staying with me.

This intense dedication was the norm for Michael Kennedy. Every night that I left the Senate, Michael would be there to wish me a safe drive home and continue his work for me late into the night. Whenever I traveled, he was always by my side and ready to help. Together we spent a lot of time on the road, visiting each of Utah's 29 counties. We drove from meeting to meeting across beautiful western landscapes and had many memorable conversations. Though road trips can often be long and tedious, Michael's sharp intellect and good humor made him one of the greatest traveling companions I have ever had.

I have been extremely fortunate when it comes to my staff. I have had the privilege of serving with some of the most gifted and devoted people our Nation has to offer. Each of them has brought something unique and important to their service, but I have to say that even among the select fraternity of talented Senate staffers, Michael Kennedy belongs in an elite class.

I have no doubt Michael will enjoy enormous success in his new position. Success has been the defining characteristic of every endeavor he has undertaken. I have had many chiefs of staff over my 38 years in the Senate, but none has ever been better than Michael.

While the selfish part of me wishes he could have stayed in the Senate just a bit longer, I have to say that I wish Michael, Natalie, and darling Sweet Pea the very best going forward.

I don't say these things haphazardly. This young man is truly one of the finest people I have known in all of my experience in the Senate of the United States. He was dedicated, he was consecrated to his work, and he did everything he possibly could to help my staff and me do a better job in the Senate.

Michael is a true friend, and he will always be somebody whose friendship I revere. As I said, his wife is a wonderful friend as well, and Sweet Pea—I call her ''Pea'' now—is one of the cutest, most darling young girls that I have ever seen.

With that, 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.

The PRESIDING OFFICER. The Senator from Connecticut.

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

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

HEALTH CARE REFORM

Mr. MURPHY. Madam President, this past Saturday, open enrollment began for the second round of State-based and Federal exchanges all across the country.

We can think about where we were a year ago today: The government was in shutdown. The Federal Web page where people went to enroll was a blank screen for many. There was frustration all across the country, and a lot of our friends on the other side of the aisle were claiming that this was proof the health care reform law could not work. They claimed it was a failure from the beginning.

Well, a year makes a big difference. It is a year later, and we have 7 million, 8 million people who have insurance on these exchanges across the country. We have lowered the number of people without insurance by 25 percent in a year's period of time. That is remarkable. In my State of Connecticut, where we run the best exchange in the entire country, we have cut the number of uninsured in half in

just a year's period of time. That is an even more stunning number. Health care rates of inflation are as low as they have been in most of our lifetimes. The State of Connecticut is actually spending less on Medicaid than it was a year or two ago, and quality is getting better. By most all of the indices that we follow, the number of people who are readmitted to a hospital after a surgery or the number of infections people get while they are in the hospital are all lower than they were when the bill first went into effect.

While a lot of my Republican friends come to the floor with stories about people who have bad insurance with the health care bill, the data clearly is on our side. The data tells only one story that the Affordable Care Act is working. But we have a lot of stories, too—millions of them, as it turns out. I have never denied that there will be people who have bad experiences with the health care system, with the Affordable Care Act, and with the exchanges. But they are in the vast minority. The majority are people such as Christina who is a small business owner from Stratford, CT. Several years ago, she left a job that provided employer-based coverage to start her own business in Bridgeport. It was her dream to start her own business. But as with a lot of Americans who have a dream to start their own business, she was reticent about doing it because she was worried about losing her health care insurance. She stayed insured on COBRA until it expired, and then she went on the individual market. She recalls having to fill out a 15-page questionnaire asking, as she says, ''anything that I had ever remotely discussed with my doctor.'' Unfortunately for her, she got a rejection notice from a carrier that basically just copied and pasted what she wrote in the application and said: Here is your preexisting condition, and that is why you are uninsurable. Her only remaining option was to go into Connecticut's high-risk pool.

While she was shopping around for insurance, she decided to get her annual mammogram at age 40, and the hospital told her they found something suspicious on that mammogram.

Facing a potential cancer diagnosis without health care coverage created an enormous amount of anxiety for her. It was at that moment that it struck her how important it was for people to have coverage. So she went to Access Health, which is our State-based exchange, to look at plans, and she realized she had another option. She found a gold exchange plan. It asked her to pay $430 a month, which was a big difference from the $1,200 per month that she was paying under the high-risk pool. By the way, a lot of the repeal-and-replace crowd say we should replace the exchanges with high-risk pools. Well, for Christina, that was a big financial risk to her. She went from $2,500 a month down to $430. She says: I am thankful that there was a solution for me to be able to keep my business and to have affordable health insurance that can't be taken away.

Now, Christina hopefully is going to be what a lot of people call job creators. She is hopefully going to hire a lot of people for her new business. She is going to do it because she was able to start that new business because of the Affordable Care Act.

On Saturday, the first day of enrollment, HHS said that 100,000 people submitted applications for coverage, and more than 500,000 people were able to log on to healthcare.gov. And more than a million, just since open enrollment has begun, have been window shopping for insurance options. By and large, Web sites across the country are working, and they are allowing people to come back and shop for plans. It is really important that people do come back and shop for plans, because what we know is that the insurance industry likes this bill as well. Now, a lot of people on our side of the aisle don't like the fact that the insurance industry likes this bill so much, but they like it so much that there are about 25 percent more insurers that are offering plans on these exchanges. So if a person is on a plan for a year, they should know there are likely more options out there for them. They should go on the State exchange or Federal exchange and check it out. There are going to be more options with potentially better fits for people.

That is not to say that people haven't been really happy with the insurance coverage they have. Here is some other news we have gotten in since the last time I was on the floor. The Gallup poll surveyed Americans who had bought insurance in the first year on these plans, and what they found is pretty remarkable. Seventy percent of the people who bought insurance in the new marketplace last year rated it as good or excellent. Would that we had the same ratings for the Senate. Seventy percent of the people say the coverage they got was good or excellent. Three in four of the newly insured say they are satisfied with this aspect of their health care insurance. That is compared to 61 percent among the general population with insurance.

So people are actually more satisfied on the exchange-based plans than they are on nonexchange-based plans. If people are satisfied now, they may be able to get an even better deal because more insurers are now signing up.

The other good news is that premiums are going to be, on average, lower. Now, that is an impossible thing to say in the current health care environment. People are just not used to hearing that premiums from year to year are going to be lower, but that is the truth. A study from Kaiser and a study from the Wakely Consulting Group—Kaiser looked at the second lowest-cost silver plan in 49 cities around the country and found the premiums are going to be decreasing slightly from last year. Wakely looked at the largest county in each of the 34 States with marketplaces run by the Federal Government and found on average that the rate decrease was going to be 1 percent. We, frankly, would be happy if rate of increase was only 2 or 3 percent, because on average in 2008, the premium increase was 10 percent. In 2009 it was 10.8 percent, and in 2010 it was 11.7 percent. We are having an average premium decrease in the exchanges this year. That is more proof that as folks get more coverage, as people get access to preventive care, they are driving down overall health care costs because less people get into crisis, less people have to run to the emergency room, and they get cheaper cost care earlier on. That is better for them, better for the taxpayers, and better for their bottom line.

Kara from Granby, CT, has this story. When Kara was born, the doctors immediately told her parents that she was going to face a lifetime of obstacles because she was diagnosed with only one ailing kidney and a slight hearing impairment. Lucky for her, her parents found a great doctor at Connecticut Children's Medical Center.

About the time she was 1 year old, her kidney had started to fail, and a kidney transplant was recommended. Her father gave her one of his, and she was able to graduate from high school and college without having any major health problems. But she remembers always being warned by her parents about how difficult her life was going to be because of her health ailment but also because of the fact that her life decisions were going to be dictated by whether she could get health care. So she was so relieved when she found out she could stay on her parents' plan until she was 26, under the new health care law. That was critical to her because her health, after she graduated college, took a sudden downward turn. She began having frequent headaches, and her voice became really hoarse. What she thought was a virus ended up to be diagnosed as a brain tumor.

Because of the ACA and her parents' insurance, she was able to get great coverage. She went out to go look for a job but wasn't able to find one that offered health care insurance, and she went on Medicaid before she could sign up for health care insurance herself. Her tumor reappeared, but even despite this latest setback, her doctors still believe they can extract the tumor, and her prognosis is good. But she has health care, and she has had continuous health care because of the Affordable Care Act, because of Medicaid's being expanded throughout the States.

Kara says that I know for sure that I wouldn't have made it this far in life without health care. It is incredibly essential to have it. You never know what is going to happen to you. Don't take your health for granted. Kara, from Granby, has health insurance continuously because of the Affordable Care Act. Differences are being made all over the country.

I will tell just one more story. That is one from the middle section of the State from Ohio. Jim worked for 37 years for the same company. He was typically putting in 50-hour workweeks that included travel and working weekends. It started to take a toll on his health, and he knew he had to retire. If he wanted to live longer, if he wanted to enjoy his years in his sixties and seventies, he had to retire, but he couldn't do it because he needed health care for him and his family. His wife is a cancer survivor. She had been diagnosed with leukemia 15 years ago. The only way she was going to be able to get insurance was through his employer. He had to keep working even though it was the wrong thing for his health because of his job lock caused by his necessity to get health insurance from this job he was connected to.

The Affordable Care Act changed all of that. He retired in March of this year. He went and did his home homework on healthcare.gov. The plan he chose would have cost him $1,200 per month to cover him and his wife, but with the subsidy he received, with the tax credit he received, their premium costs were $127 a month. Jim is shopping as we speak for plans in 2015, but he knows he is going to live a longer life, and he will be able to be there for his wife and for his family because of the Affordable Care Act.

Jim has a pretty interesting take on all of this. He says he got to leave his job and spend more time with his family and spend more time concentrating on his health. He says: ''I am much healthier and happier than I was before. Plus,'' he adds, ''I am helping the economy. When I left my job, they had to hire someone else, so I am a job creator too.''

This is one of the great benefits of the Affordable Care Act. It reduces job lock. People who have to stay in jobs, people such as Jim but also people such as the first woman we talked about, Christina, who was able to start her own business because of the Affordable Care Act.

Open enrollment is upon us. People have 25 percent more options. On average, people have premiums that are lower than they were last year. People can sign up for something better than they had or they can join the 8 million people who have signed up on the exchanges and participated in Medicare expansion all across the country. People can be part of this pretty amazing story that is being told all across the country.

An Affordable Care Act that is insuring more people than ever before in this country, contributing to a stabilization of health care costs across this country, that still leaves us with a lot of room to go. There are still way too many people paying way too much for health care, but it at least charts us in the right direction and is making people healthier all at the same time, which is what this is all about. It is not just about saving money. It is about allowing people a better quality of life, and it is doing that as well.

As we mark the coming second week of open enrollment, it is important again to point out a very simple fact, which is the Affordable Care Act works.

I yield back and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Madam President, with regard to the health care law, the proof has come out today. The administration has been cooking the books. That is not just me saying it. It has come out all across the press. USA Today, just out: ''Obama administration gave bad health exchange numbers.'' Associated Press: ''Oops, administration erred on health law signups.''

Let's take a look at this. The Department of Health and Human Services said Thursday—this is reading from USA Today—it made a mistake in how it calculated enrollments under the Affordable Care Act, including 400,000 dental plans in its figures for medical plans. Those dental plans allow the Obama administration to claim more than 7 million enrollments and 7 million was long considered the magic number, the magic number that would allow the new health insurance exchanges to be sustainable. What does the Secretary of Health and Human Services say? Today she said this mistake is unacceptable. I agree with the Secretary.

This mistake is unacceptable, but it is not a surprise to the American people. We have questioned a long time what numbers the administration was putting out. I think it is fascinating that the administration has continued to lower and lower the numbers as more and more information and research has been done, and they can hide it no longer that they were cooking the books. Earlier today Bloomberg went up to the—with the story based on analysis from the House Committee on Oversight and Government Reform. The committee found the Obama administration has included people who purchased this stand-alone dental coverage and now HHS has admitted the duplicity. Let's take a look at this. On May 1 Health and Human Services released exchange enrollment information for a period from October 1, 2013, through April 19, 2014. At the time Health and Human Services said over 8 million people had selected a plan through an exchange, either the State or Federal exchange.

In the report, HHS also disclosed 1.1 million selected to stand-alone dental plans through the Federal exchanges. A footnote in that report said totals for stand-alone dental plans do not include individuals who are enrolled in the marketplace plans that provide integrated medical and dental coverage. So then on May 21, and after previously touting the 8.1 million exchange enrollees, Health and Human Services decided they would stop issuing additional reports. No more monthly ObamaCare exchange enrollment information. September 18, in testimony before the House Oversight Committee, the CMS Administrator, Marilyn Tavenner, testified that there were 7.3 million people enrolled in the health insurance marketplace coverage as of August 15. Remember the magic number for saying this was a sustainable program was still 7 million.

When we take a look at the oversight committee's analysis it shows nearly 400,000 of these enrollees didn't purchase insurance through the exchange for health care, rather stand-alone dental coverage. That takes the total number to under 7 million.

On November 10, earlier this month, Secretary Burwell said there were 7.1 million exchange enrollees as of the end of October. However, she also failed to break out the coverage of those stand-alone dental insurance policies, indicating the true number as of last month, likely closer to 6.7 million or 6.8 million individuals.

The nearly 20 percent drop in the exchange enrollees suggests that once many people learn about the ObamaCare problems, extremely high deductibles, narrow networks, they stop paying. They stop paying their premium in spite of the fact that there continues to be large government subsidies they are receiving. This drop is likely the central reason HHS dramatically lowered its exchange estimates earlier this month saying that by the end of the next year, instead of the 13 million people predicted by the Congressional Budget Office that there would be about only 9.1 million people enrolled.

I have heard from my colleague from Connecticut who came and told an individual story, but the health care law overall remains very unpopular. It is so unpopular that as of earlier this week and all of the polling ever done about the health care law, it is more unpopular now than ever before. Popularity is at an alltime low and unpopularity, disapproval is at an alltime high. Why would that be? There are a number of reasons. One is the front page of the New York Times the other day. November 15, cost of coverage under the care act set to increase. President Obama stood before the American people and said under his plan the cost of insurance policies would go down $2,500 per family. They have not gone down. They headed in the other direction, and again this year the cost of coverage under the health care act is set to increase. It is no surprise people are concerned when the President tells them one thing and something else happens, they question the President.

There are a number of reasons it is not popular. That is just one. The

President's solutions of putting many more people on Medicaid under the health care law, a program that has already failed and is failing and continues to be a problem—the front page of the Wall Street Journal, Friday, 14 of November, ''As More Join Medicaid, Health Systems Feel Strain''—stories about people who can't get care, people who are providers who can't afford to provide the care for Medicaid patients because the reimbursement is so low. That is the President's solution—force more people on to Medicaid because the President's focus during all of these discussions has been on coverage. As a doctor I will tell you the focus should be on the word ''care.'' People want care, and they know what they want. They know what they need in health care reform.

They want affordable care, quality care, and choice. That is what a Republican plan will look like to replace and strip out the terrible parts of this health care law. Then for people living all across the country in rural communities—I know in the Presiding Officer's State and in mine, we know what impact the loss of a rural hospital has on that community.

But yet, front page, USA Today, last weekend, November 14 to 16, ''Rural Hospitals in Critical Condition.'' ObamaCare critics say the law is speeding up the demise of the facilities. There is a map of the United States, a list of 43 hospitals that have closed since January of 2010 as a result of the health care law.

You say: Is it as a result of the health care law? I believe it is, because it was Ezekiel Emanuel, one of the architects of the health care law, who said and recently wrote that between now and the year 2020, up to 1,000 hospitals in the United States were likely to close. We know what the impact of the cuts that happen to our seniors on Medicare as a result of the health care law will have to rural hospitals, where a disproportionate number of the patients are seniors on Medicare. The hospitals cannot sustain themselves.

That was part of the original budget numbers as they looked at the health care law, as we debated it on this Senate floor and said: Please do not pass this, Democrats—who one by one by one voted for the health care law—because it is going to impact our rural hospitals.

Now we see 43 hospitals in rural communities all around the country and tell stories of people who could not get care, had to travel such a long distance in that critical hour after a heart attack, were unable to survive. So the health care law continues to be very unpopular across the country. Yes, it is possible for colleagues to come to the floor and tell a story about one individual whose life may have been improved as a result of the health care law. But across the country, there are many people who are finding they cannot keep their doctor, they cannot keep their child's pediatrician, they cannot go to the hospital in their local community because of the specific components of the health care law which have caused so much damage and wreaked havoc in communities all around America.

I continue to hear from people in Wyoming who have lost the insurance that worked for them and they liked. They had to buy other insurance, much more expensive, that covered things they did not need, did not want, and cannot afford. Many now find themselves for the first time without insurance when they had it before. It worked for them and their families.

So that is why all across the country, people are saying: This health care law is not working for me. That is why the signups are down and the belief is that fewer people are going to sign up because for them they do not feel they are getting good value. They see what they are going to have to pay out of pocket for deductibles, what they have to pay out of pocket for copays, what their premiums are. As a result, they are saying: No, thank you.

Even with the subsidies, Health and Human Services has significantly lowered their predictions of how many people will sign up for the health care law this year. That is in spite of the fact that the fines are going up.

Then, on top of all of this, there is a health care MIT economist, Professor Jonathan Gruber, who has made comments that are disparaging of American citizens. He has said not just once but time and time again, as the videos continue to come out of this Gruber miniseries of TV videos, that this health care law was sold to the American people by trying to confuse them. He has questioned their intelligence. It was NANCY PELOSI who said: First you have to pass it before you get to find out what is in it.

American people are furious about the way this administration has treated them, has behaved toward them, and has acted upon their willingness to believe an administration and believe a Speaker of the House at a time people wanted health care reform in America. People did not get what they wanted. They did not get what they were promised.

So, today, I come to the floor to say to my colleague who just spoke about the health care law, that perhaps for the folks he mentioned it has worked. We want health care to work for people all across the country so they can get the care they need, from a doctor they choose, at lower cost. That is what they want. So today, the proof comes out, the administration has been cooking the books. As USA Today says, the Obama administration gave bad health exchange numbers and the Associated Press starts its story on this very same topic with one word, ''Oops!''

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

The PRESIDING OFFICER (Mr. UDALL of Colorado). 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.

EXECUTIVE SESSION

NOMINATION OF NOAH BRYSON MAMET TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARGENTINE REPUBLIC

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 892.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Noah Bryson Mamet, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Argentine Republic.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Noah Bryson Mamet, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Argentine Republic.

Harry Reid, Robert Menendez, Patrick J. Leahy, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF COLLEEN BRADLEY BELL TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO HUNGARY

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 631.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Colleen Bradley Bell, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk that I ask to have reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Colleen Bradley Bell, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

Harry Reid, Robert Menendez, Bill Nelson, Patrick J. Leahy, Benjamin L. Cardin, Elizabeth Warren, Barbara Boxer, Tom Udall, Tammy Baldwin, Brian Schatz, Richard Blumenthal, Christopher A. Coons, Tom Harkin, Angus S. King, Jr., Carl Levin, Joe Manchin III, Bernard Sanders.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF NANI A. COLORETTI TO BE DEPUTY SECRETARY OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. REID. I now move to proceed to executive session to consider Calendar No. 772.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development.

Harry Reid, Tim Johnson, 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.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF ROBERT S. ADLER TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION

Mr. REID. I now move to proceed to executive session to consider Calendar No. 918.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk that I ask to be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission.

Harry Reid, John D. Rockefeller IV, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Patrick J. Leahy, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF CHARLOTTE A. BURROWS TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1069.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission.

Harry Reid, Tom Harkin, 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.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF P. DAVID LOPEZ TO BE GENERAL COUNSEL OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 1067.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. REID. Mr. President, I don't know if you are getting the drift, but each one of these is the same.

The PRESIDING OFFICER. The question is still on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk, Mr. President.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission.

Harry Reid, Tom Harkin, 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.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, December 1, 2014, at 5:30 p.m., the Senate proceed to executive session and vote on cloture on Executive Calendar Nos. 892 and 631; further, that if cloture is invoked on either one of these nominations, that on Tuesday, December 2, 2014, at 10:30 a.m., all postcloture time be expired, and the Senate proceed to vote on confirmation of all of the nominations in the order upon which cloture was invoked; further, that there be 2 minutes of debate prior to each vote and all rollcall votes after the first vote in each sequence be 10 minutes in length; further, with respect to the nominations in this agreement, that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

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 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 SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 663, 671, 672, and 923, as well as the nominations placed on the Secretary's desk in the Foreign Service; that the nominations be confirmed, en bloc; that 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 any of the nominations; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brigadier General Jon K. Kelk

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Nathaniel S. Reddicks

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. James C. Witham

COAST GUARD

The following named officer for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C., section 211(A)(2):

To be lieutenant commander

Angela R. Holbrook

Martha A. Rodriguez

FOREIGN SERVICE

PN1381—3 Foreign Service nominations (2) beginning Leslie Meredith Tsou, and ending Lon C. Fairchild, which nominations were received by the Senate and appeared in the Congressional Record of January 30, 2014.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO THE KENTUCKY COMMUNITIES ECONOMIC OPPORTUNITY COUNCIL (KCEOC) COMMUNITY ACTION PARTNERSHIP

Mr. McCONNELL. Mr. President, I rise today to pay tribute to the Kentucky Communities Economic Opportunity Council, KCEOC, Community Action Partnership—an organization that for the past 50 years has been dedicated to the cause of destroying the roots of poverty in Southeastern Kentucky.

KCEOC was one of the first community action agency organizations in the country to be established to target the causes of poverty on the State and local level. Founded in 1964, it can now celebrate five decades serving its community.

Based out of Knox County, KY, KCEOC helps over 7,000 Kentuckians achieve financial stability every year through a number of antipoverty programs. This includes Head Start and Early Head Start, programs that aim to build children's educational foundation from an early age. KCEOC is also involved in job training and career planning, providing affordable housing, and food and clothing drives.

The KCEOC Community Action Partnership recognizes that a ''hand up'' is more effective than a ''hand out.'' They are dedicated to providing Kentuckians mired in poverty with the means and assistance necessary to break the chain of poverty that has afflicted too many Southeastern Kentuckians for generations.

Although there are many more programs instituted by KCEOC that cover

a diverse range of problems—including an IRS Volunteer Income Tax Assistance Program, a Summer Food Service Program, and a KCEOC Aquatic Club—at their core they are all designed to impact the people of the community in a positive way. This is an objective that the organization continues to achieve, year after year.

When one Kentuckian who benefitted from KCEOC's services was asked what mattered to him the most, he replied:

Getting my education. I had never planned on getting my GED or going to college. [The staff at KCEOC] really pushed me and encouraged me.

I especially want to thank the leadership of KCEOC, including its president/CEO, Mr. Paul D. Dole, who was honored in 2013 as one of the region's top entrepreneurs in Southern and Eastern Kentucky at the 2013 Excellence in Entrepreneurship event, hosted by the Center for Rural Development in Somerset.

For their 50 years of serving the community of Southeastern Kentucky, I ask that my Senate colleagues join me in honoring KCEOC. May their next 50 years be as beneficial to the Commonwealth of Kentucky as their first.

CONGO CONFLICT MINERALS LAW UPDATE

Mr. DURBIN. Mr. President, it is not very often that Congress can make a policy change that has life-or-death consequences for millions of people, but in 2010 a law was enacted that is changing the money supply for warlords in the Democratic Republic of Congo.

Many may not realize that almost 5.5 million people have been killed during the long-running conflict in the Democratic Republic of Congo, which has been the most deadly since World War II. Tragically, women and children have suffered the most, as we too often see in conflicts. Millions have been displaced from their homes, and the prevalence of rape and sexual violence as a weapon of war is almost beyond belief. The U.N. reports that about 1,000 women are assaulted every day in Congo, which is roughly equivalent to 12 percent of all Congolese women.

One of the drivers and funders of this conflict is paradoxically that which fills the DRC with such potential—its natural resources. Instead of paying for the nation's peace, education, roads and public health programs, the DRC's mineral wealth has been siphoned off to fund the armed groups that vie for local and regional control of vast areas far from Congo's capital, Kinshasa.

Tin, tantalum, tungsten, and gold are found in everyday electronics, jewelry, airplanes, and manufacturing equipment. But these minerals also have provided weapons and salaries to fighters, including conscripted child soldiers, who then visit unspeakable horrors on innocent civilians in return.

Over 4 years ago, I joined former Senators Brownback and Feingold and Congressman JIM MCDERMOTT in drafting a simple transparency reporting requirement for U.S.-registered corporations that source these four minerals from the DRC or its neighbors. And in early June, after protracted legal challenges, the first of those annual reports was filed at the Securities and Exchange Commission.

The electronics industry, in general, has been out front on this push for great transparency, but sadly, the jewelry industry has lagged far behind on its due diligence and reporting. Some companies have made more than a good-faith effort to determine the origins of the minerals they and their suppliers use, and a few of those companies, I am proud to say, call Illinois home.

One of the leaders, across all industries, on this is Motorola Solutions, headquartered in Schaumbergn, IL. Motorola Solutions emerged early as a company dedicated to cleaning up its supply chain, and to do so, it helped establish Solutions for Hope, dedicated to developing a closed-pipe supply chain. Kester, a subsidiary of Illinois Tool Works, makes electronic and automobile components and has been a leader in transparency of the smelters it uses. John Deere, headquartered in Moline, IL, painstakingly described its due diligence processes and even detailed the sources of minerals that its suppliers used. Others, like AAR Corporation, based out of Wood Dale, and Dover Corporation, headquartered in Downers Grove, developed conflict-mineral specific compliancy programs and provided detailed information on steps to identify risks in their supply chains. Lake Forest's IDEX Corporation underwent efforts to create a sourcing policy that in its first year of filing covered 90 percent of suppliers.

I am sorry to say not all companies took this reporting requirement seriously, hiding behind the 2-year grace period that allows them to avoid questions. My hope is that these Illinois companies serve as an example for next year's filings nationwide. And here is why—this rule is yielding real, tangible, positive results already.

The Government Accountability Office issued a report in late June that confirmed the opposite of claims made by those seeking to dismantle this reporting requirement. This rule has expanded the options for clean minerals sourcing in Central Africa. In fact, the number of certified conflict-free smelters has more than tripled in the past year alone. Intel has created its first conflict-free computer chip, while using responsibly sourced minerals from Congo and took its reporting a step further by voluntarily submitting it to third-party audits. Under the Conflict-Free Smelter Program, the number of international smelters operating free from conflict minerals continues to grow. Almost 90 smelters (40 percent of the world's total smelters) are certified as conflict-free and more than 150 companies and industry associations participate in the program.

After being refined the origins of the material become difficult to track. Smelters purchase materials from a variety of sources, so the smelter or refiner is a critical point in the supply chain, where we can look for assurances about whether the material has been purchased from conflict-free sources. Apple has confirmed that its entire tantalum supply chain is conflict free. Dutch smart phone manufacturer Fairphone is making its products with conflict-free raw materials. Fairphone has already sold 35,000 units and is hoping to expand production as more consumers embrace conflict-free electronics. Fairphone and others are leading by example and proving that conflict-free is not only possible but that it can be profitable too.

The Enough Project recently reported on the effect of this legislation, and it is good news. Armed groups and the Congolese army are no longer present at 2/3 of tin, tantalum, and tungsten mines surveyed in eastern Congo. It also appears that responsible sourcing initiatives might be contagious—Congo-Brazzaville, the DRC's neighbor to the west, has begun its own program to determine clean sources of minerals as well. I am also happy to say that our counterparts in the European Union are reviewing a bill based on our law to require European companies to provide similar transparency in their own supply chains. China has instituted similar rules, and other nations are following close behind.

The Congress has emerged as a world leader on conflict-minerals reporting, and the early results suggest that the people of the DRC should not have to suffer unspeakable violence that can be traced back to our cell phones, wedding rings, and cars. The filings are far from perfect, but we have begun the process. I appreciate those industry players that are leading the way. I can only hope that by cutting off this rich source of funding for the fighting in the Congo, we can help spare its citizens from the senseless violence that is tearing the country apart.

ANNIVERSARY OF THE WASHINGTON, IL TORNADOES

Mr. DURBIN. Mr. President, people throughout Illinois have been reflecting this week on the 1-year anniversary of the day that rare November tornadoes tore through Illinois, causing widespread devastation and eight deaths in our State. The outbreak, which happened on November 17, 2013, destroyed hundreds of homes and rendered thousands uninhabitable.

This tornado event was the deadliest and costliest in the State of Illinois for the month of November—and it was the fourth largest outbreak for the State overall. Two of the tornadoes that day rated EF4. That means the winds were more than 166 miles per hour. In fact, the National Weather Service clocked a peak wind of 190 miles per hour on that day. Washington, Gifford,

Brookport, East Peoria, Pekin, the list of cities touched by the tornadoes in the State goes on and on.

I visited Washington, IL, near Peoria, 5 days after the tornado—and Gifford, IL, just a few days after that. What I saw was heartbreaking. In the city of Washington, alone, 1,108 homes were damaged—most were damaged very badly. Five hundred ninety-five of those homes were destroyed. I saw bare foundations where families had lived just days before. Trees had been reduced to splinters. Street signs had been torn out of the ground making it nearly impossible to see where one block ended and another began.

The loss of homes and property was really difficult to bear, but the real tragedy lies in the lives that were claimed. Three people died in Washington, two people died in Washington County near St. Louis, and three were killed in downstate Massac County, which is located along the Ohio River.

It is a miracle more lives were not lost, particularly in the path of the EF4 tornado that touched down in East Peoria, traveled through the city of Washington and continued up to Long Point, IL. In Washington, many lives may have been saved by the fact that so many members of the community were in church when the tornado came through. When the sirens went off, 500 people inside Crossroads United Methodist Church huddled in a storm shelter in the building. Half a mile away, at the Apostolic Christian Church, many of the 450 or so people who were there took refuge in Sunday school rooms. The tornado, spinning at nearly 200 miles per hour changed course by several degrees just seconds before impact and went right between those two churches. Neither church was damaged.

I can't say enough about the tireless efforts the emergency personnel who were there from the minute the sirens went off. They were there to help under the most extraordinary circumstances. I supported Governor Quinn's request for a Federal disaster declaration for 15 counties in the State. The President granted ''individual assistance'' to people in Champaign, Douglas, Fayette, Grundy, Jasper, LaSalle, Massac, Pope, Tazewell, Vermilion, Wabash, Washington, Wayne, Will, and Woodford Counties. This declaration allowed people in those communities whose homes and businesses were damaged to start repairs and to find temporary housing if they needed it. The Federal Emergency Management Agency has provided more than $28 million in loans to the tornado victims. The Small Business Administration also made loans available to businesses in the affected counties. To date, it has provided 305 loans for a total of $25.8 million.

The people who live and work in the damaged communities have made incredible progress rebuilding. Washington Mayor Gary Manier predicted last year that the city would rebuild within a year. The task proved far greater than anyone would have thought but the city has made great strides. Building permits have been issued for more than 70 percent of the damaged properties. More than 25 percent of the destroyed homes have been replaced and reoccupied. Work remains to be done but the city has seen enormous progress.

Thousands of volunteers have helped with the cleanup. Ben Davidson, executive pastor at Bethany Community Church, has coordinated volunteer efforts since the early stages. He says volunteers have accounted for 13,000 workdays and 70,000 hours. Although most volunteers have been from central Illinois, people from all over the State continue to show up on weekends to help plant trees and cut weeds on neglected properties. Hearing the stories of Illinoisans working together to help neighbors and even strangers get back on their feet makes me proud to be from Illinois. Thank you to everyone engaged in the rescue and cleanup at every level.

I also want to recognize the hard work and dedication of: Jonathon Monken, head of the Illinois Emergency Management Agency; Gifford Mayor Derald Ackerman; Brookport Mayor John Klaffer; and Metropolis Mayor Billy McDaniel. They were there when their constituents and their communities needed them the most.

I am thinking of all those whose lives were affected by this tragic event. We are rebuilding—as Americans always do—and will be stronger for it.

NOMINATION OF LAUREN McFERRAN

Mr. HARKIN. Mr. Presidet, this morning we convened a hearing to consider the President's nomination of Lauren McFerran to fill an impending vacancy on the National Labor Relations Board. Ms. McFerran is well known to most of us as a senior staffer on the Health, Education, Labor, and Pensions Committee, and I look forward to her speedy confirmation. She has been nominated to fill a vacancy that will result from the departure next month of a current Board member, Nancy Schiffer. I would like to thank Ms. Schiffer for her dedicated service. She has been a highly respected Board member, and I wish her every success in her future endeavors.

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

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

For union and nonunion workers alike, the act provides essential protections. It gives workers a voice in the workplace, allowing them to join together and speak up for fair wages and benefits, and for safe working conditions. These rights ensure that the people who do the real work in this country have a shot at receiving a fair share of the benefits when our economy grows—and with rising income inequality in our country, these rights are more important than ever.

The NLRB is the guardian of these fundamental rights. Workers themselves cannot enforce the NLRA, but they can turn to the Board if they have been denied the basic protections provided under the law. In short, the Board plays a vital role in vindicating workers' rights. In the past 10 years, the NLRB has secured opportunities for reinstatement for 22,544 employees who were unjustly fired. It has recovered more than $1 billion on behalf of workers whose rights were violated.

The Board also provides relief and remedies to our Nation's employers. For example, employers can turn to the Board for relief if a union commences a wildcat strike or refuses to bargain in good faith during negotiations. The NLRB has a long history of helping businesses resolve disputes efficiently. By preventing or resolving labor disputes that could disrupt our economy, the work that the Board does is vital to every worker and every business across the Nation.

That is why it is so important that we maintain a fully functional, five-member NLRB. I am proud of the fact that, just a little over a year ago, we were able to confirm members to completely fill the board for the first time in over a decade. Now, we need to fill a soon-to-be open seat so that the Board can continue to function effectively.

Ms. McFerran is not the first nominee for this seat. In September, the HELP Committee approved the nomination of a dedicated public servant, Sharon Block. Republicans and Democrats agreed on Ms. Block's reputation and qualifications, but her nomination was withdrawn in the face of circumstance beyond her control. As a result, Ms. Block will not have the opportunity to serve on the Board. Ms. Block is a tremendous public servant whose qualifications are unaffected and undiminished by the present circumstances and I look forward to Ms. Block's future service to our country.

I am heartened, however, by the President's decision to nominate Lauren McFerran. Ms. McFerran currently serves as Chief Labor Counsel and Deputy Staff Director on my HELP committee. I am proud to have her as a member of my staff; she has served the committee with excellence and

great professionalism; and I know first-hand that the President could not have found a more able successor to Ms. Schiffer. Ms. McFerran is an incredibly talented lawyer with deep knowledge of labor law. She is a person of sterling integrity and strong character. She will be a great asset to the Board.

It is my hope that by promptly confirming Ms. McFerran's nomination to fill the looming vacancy we can continue the progress that has been made recently, and begin a new era where orderly transitions on the NLRB are the norm. We should set a new precedent of confirming nominees—Democratic and Republican alike—in a timely manner.

I have no doubt that Ms. McFerran will do an excellent job in this important position. I look forward to moving her nomination expeditiously.

TRIBUTE TO AMBASSADOR WILLIAM J. BURNS

Mr. McCAIN. Mr. President, today I honor a truly remarkable diplomat and legendary statesman. After 33 years of service to our Nation, Deputy Secretary of State William J. Burns is retiring from the U.S. Department of State. Having served under 10 Secretaries and twice postponing his retirement, Ambassador Burns has had an enormous impact on the trajectory of U.S. foreign policy and I would like to recognize his many years of distinguished service and thank him for his tireless efforts.

Ambassador Burns joined the Foreign Service in 1982 and, within a year of joining, he had already made a name for himself as someone willing to go above and beyond the call of duty. Over the course of his 33 years in the Foreign Service, he has served in countless posts, including as Ambassador to Jordan, Assistant Secretary of State for Near Eastern Affairs, Ambassador to Russia, and Under Secretary for Political Affairs. Since 2011, he has served as Deputy Secretary of State, holding the rare distinction of being only the second career diplomat to rise to the position.

It is a testament to both his character and unique skills that nearly every person who has had the pleasure of meeting Ambassador Burns has a story to tell about it. He has deftly steered our foreign policy through countless challenges over the past three decades and handled with skill sensitive diplomatic missions that few were willing and capable of taking on. That he has one of the most distinguished tenures as a career Foreign Service officer in memory is made all the more remarkable by his modesty and humility.

Ambassador Burns embodies the mission of the Department of State at its finest. He has been a mentor for generations of Department of State personnel and is an inspiration to all public servants, myself included. America is stronger and the world a better place thanks to his service. And while the Department of State will feel his absence, I am relieved to know that he will continue to play an important and constructive role in global affairs through his new position as president of the Carnegie Endowment for International Peace. I thank him for his willingness to serve our country and I wish him and his family the best as they embark on a new journey.

TRIBUTE TO JENELLE KRISHNAMOORTHY

Mr. HARKIN. Mr. President, I wish to pay tribute and to extend my thanks to an extraordinary individual, Jenelle Krishnamoorthy, who has served on my staff, with one small interruption of service, for a decade.

Jenelle came to my staff in the summer of 2003 as a fellow, later becoming a permanent staff member and eventually rising to lead my health policy team on the Senate Committee on Health, Education, Labor, and Pensions. From the time she arrived, it was clear that Jenelle was an exceptional talent—one possessing not just deep knowledge of health care and public health, but also with uncommon instincts about this institution and about how to accomplish great things in an increasingly divided Congress.

Throughout my career, I have been guided by a conviction that our country does not have a health care system, but rather a sick care system. If you get sick, you get care. We spend far too much time and riches treating disease once it has occurred, and far too little preventing it in the first place. Among my first charges to Jenelle when she arrived on staff was to think about how we make America a wellness society, one in which we make the healthy choice the easy choice. How do we, I asked her, change our workplaces, our schools, our communities, our child care settings, and our health care system so that we prevent the onset of chronic disease, rather than patch and fix and treat once a person gets sick?

Jenelle responded with a broad vision of a wellness society—a vision that has guided her work, and my own, for the past 10 years. Looking back over those 10 years, the breadth of what she has accomplished is truly remarkable.

The Affordable Care Act is one of the great health laws of the last 75 years. As my designee on that bill, Jenelle secured passage of a number of groundbreaking policy changes that have changed the landscape of our health care system. In particular, Jenelle was the primary drafter of the prevention title of that bill. As a result of that, every single American can now receive recommended preventive health care services absolutely free of charge. Routine services such as mammograms, vaccinations, diabetes and cancer screenings, among other things, are now cost free, forever, because of Jenelle's work.

As part of that bill, Jenelle was also the intellectual force behind the Prevention Fund, which creates a public health partnership between the Federal Government and communities across the country by providing billions of dollars for communities to invest in proven preventive efforts such as tobacco cessation, childhood obesity prevention, HIV prevention, and public health workforce development. As a result, across the country, communities, from small towns in Iowa to our largest urban centers, are working together to weave health promotion into the very fabric of our communities and the lives of our citizens.

Through her work on the Affordable Care Act, Jenelle also played a key role in expanding nutrition labeling to chain restaurants around the country, giving hundreds of millions of consumers access to critical nutrition information that they need to take control of their own health, and also successfully fought for new policies to promote breastfeeding.

Jenelle's contributions to the health of our country go far beyond the Affordable Care Act. As the health policy director for the Senate Committee on Health, Education, Labor, and Pensions, Jenelle shepherded passage of the Food Safety Modernization Act, the most significant reform of our food safety system in the country in decades. This law strengthened the Food and Drug Administration with critical new authorities to protect Americans by establishing a better and more modern system for keeping our food safe from farm to fork.

And just as she did with the food safety system, Jenelle also spearheaded efforts to improve the safety and quality of drugs and medical devices. In successfully leading committee passage of the Food and Drug Administration Safety and Innovation Act, Jenelle helped ensure the safety of our drugs and medical devices, alleviate the effects of drugs shortages and manufacturing problems, and implemented long sought reform to help bring critical drugs and medical devices to patients faster.

Remarkably, these are just the highlights of Jenelle's accomplishments in the area of health policy and health promotion. Just in this Congress, Jenelle has led 16 bills into law, including bills to respond more quickly and effectively to public health disasters, to facilitate organ donation, to provide equitable funding to children's hospitals and ensure a steady supply of pediatric doctors, and to speed the approval of new sunscreens to protect Americans from skin cancer. Her efforts in the health arena in this Congress have made the HELP Committee one of the most productive in this Congress. For making me look good as the Chairman of the HELP Committee, I owe Jenelle a special debt of gratitude.

Americans take for granted the safety of our food supply and our drugs and medical equipment. When people go to their doctors and receive a free, often lifesaving mammogram, they do not

think of the reasons for it. When a smoker of several decades finally receives the help that he needs to quit so that he can watch his grandchildren grow up, he most likely does not pause to reflect on why he received free cessation services. But none of these things happened accidentally. They came to pass because of the heroic and humble efforts of a dedicated public servant, Jenelle Krishnamoorthy. For 10 years now, Jenelle has shown up for work in my office with the singular goal of improving the health of Americans. She has succeeded beyond measure. For that, I owe her my thanks, and so too do tens of millions of Americans.

IMMIGRATION

Mr. ENZI. Mr. President, today I express my opposition to the President's plan to grant executive amnesty to 4 million to 5 million illegal immigrants residing in the United States.

By circumventing Congress on immigration and instituting his will through executive actions, 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. A constitutional law professor should know that.

I believe we all agree that our immigration system is broken—both the legal system which allows individuals to visit and work in our country and the failures which continue to allow others to reside illegally within our borders. The first step we need to take to fix our system is to secure our borders and bolster interior enforcement. We cannot reduce illegal immigration without better border security and entry/exit enforcement measures. We also need to ensure that we have a strong, workable employment verification system in place, because if Congress can ensure that only authorized job seekers gain employment in this country, then we remove the incentive for illegal immigration—and we cannot grant those who are here illegally amnesty.

Yet this week the President intends to circumvent the will of Congress by illegally granting amnesty to 4 millions to 5 million illegal immigrants. This cannot stand. The American people do not want it, some of my colleagues on the other side of the aisle have advocated against it, and the President himself has said more than 20 times that he does not have the authority to take this action. I am certain that the Republicans in the Senate will take action next year when we become the majority, and I look forward to being a part of that cause.

But I must be clear: this is part of a much larger fight. I know all of my colleagues remember the unconstitutional NLRB recess appointments the President made in 2012. In that case, the Supreme Court rejected his move, but it hasn't stopped the President from pushing forward. He has proposed a cap and tax proposal through regulation that Congress has already rejected, and I know my colleagues from coal-producing States intend to fight that EPA rule with me. I know my colleagues from Western States also intend to join me in fighting the EPA's proposed rule that could allow the administration to regulate all bodies of water, no matter how small, and regardless of whether the water is on public or private property.

This week's action is the latest step too far by the President, and I will continue to fight executive overreach—including amnesty by executive order—whether by targeting rampant, unaccountable Federal spending, working to reverse illegal executive orders with legitimate Federal laws or using the Congressional Review Act to reject the President's actions. I will be looking closely at every option.

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2013

Mr. CASEY. Mr. President, I would like to thank Chairman HARKIN, Ranking Member ALEXANDER, and sponsors Senator MIKULSKI and Senator BURR for their tremendous work to bring the Child Care and Development Block Grant Act of 2014 to passage. I thank all of my colleagues in the House and Senate who helped get us to this point.

As many of my colleagues have commented, it is well past time that we take up a reauthorization of this important legislation. The Child Care and Development Block Grant, CCDBG, has not been reauthorized since 1996. In the nearly two decades since, our understanding of early childhood development, and the importance of high-quality child care and early learning, has expanded dramatically.

Investing in high-quality early learning opportunities such as child care and pre-K sets children on the path to success. This bill updates Federal standards to ensure that the Federal Government is supporting high-quality child care for low-income children. The legislation we have passed sets a new standard for child care in America, making sure that Federal dollars are going to providers who are committed to providing child care that meets certain criteria, such as health and safety standards.

Many of these changes reflect proposals I have put forth in previous Congresses to improve the Child Care and Development Block Grant, such as the Starting Early, Starting Right Act. I am encouraged that we were able to reach consensus on many of the provisions I have supported in the past, and that they are represented in this bill.

I would have liked to go further. I believe we need to increase our investment in high-quality child care, and make it easier for child care providers to access training and education opportunities that will help them become better at caring for children and helping them learn. I would like to increase the incentives for States to invest in quality ratings and improvement systems, QRIS, which encourage child care providers to make continuous improvements in the quality of the care they provide and the facilities they use, often through financial incentives such as higher reimbursement rates when a certain quality level is reached.

While the authorized appropriations levels in this bill represent a 16% increase over the next 6 years—we still have a long way to go. Nationwide, the number of children served with CCDBG funding from 2012 to 2013 fell by 47,500 children. In Pennsylvania, nearly 2,800 fewer children were served. The important provisions for health, safety, and quality in this bill are not without their cost, and Congress must fully fund them. No family, child care provider, or State should have to make a choice between serving more children or providing quality care. We owe our most vulnerable children no less.

Even with the continued need for more funding, I still believe this legislation represents a significant improvement over current law and major progress for families. For the first time, we are requiring all States to develop robust health and safety standards, and to institute a consistent background check system for child care providers.

We are requiring States to formally coordinate their early learning programs, to improve service coordination and delivery. We are allowing children who qualify for a subsidy to receive a year of care before their eligibility is re-determined, promoting stability and continuity for the entire family and encouraging the child to develop strong relationships with his or her teachers and peers in child care.

We are increasing the investment in quality, from the 4 percent per year currently required in law to 9 percent within 5 years, and including a separate set-aside for infants and toddlers. Quality is a continuum, and a continual investment; it is not a one-time purchase, it is something we need to support and sustain.

I thank Chairman HARKIN, Ranking Member ALEXANDER, and Senator MIKULSKI and Senator BURR again for all of the work that they and their staff have done to get us to this point. When Congress works together children and family in this Nation all benefit. With the President's signature, parents can rest a little easier knowing that when they leave their child at child care, they will receive great care.

ADDITIONAL STATEMENTS

VIRGINIA'S COMMITMENT TO ECONOMIC PROSPERITY THROUGH EDUCATION INNOVATION

• Mr. KAINE. Mr. President, the key to America's continued success lies in improving our Nation's educational system. With the changing needs of our workforce, it is imperative that we utilize research in STEM fields and the humanities to improve our country's economic prosperity. Even in lean times, Virginia focused on the link between research and the creative new innovations that are leading this Nation's economic recovery; the Commonwealth's continued commitment to bridging these undertakings is commendable.

The Virginia Longitudinal System was created by a partnership between the Virginia Department of Education, the State Council of Higher Education for Virginia, the Virginia Community College System, and the Virginia Employment Commission. This vital research tool, the first of its kind in the Nation, provides policymakers, researchers, and citizens with information that will prepare and connect Virginians with employment opportunities. Funded with a grant awarded under the stimulus bill—the American Recovery and Reinvestment Act of 2009—the data system allows State agencies and researchers to study the behaviors and transitions of students through the public school systems, into college, and on to the workforce so Virginia leaders can make informed decisions and create education and workforce policy based on consistent and relevant data.

Earlier this year, several education organizations, including the State Council of Higher Education for Virginia, Center for Excellence in Education, Center for Innovative Technology, Virginia Chamber of Commerce, Virginia Business Higher Education Council, and the Virginia Economic Development Partnership, held the Virginia Higher Education Research Summit. The summit focused on the importance of increasing funding for academic research at Virginia's colleges and universities, showcased the strengths of private/public partnerships between Virginia's universities and the private sector, provided a forum for discussing best practices related to intellectual property issues, and strengthened the public's understanding of where Virginia's research dollars come from, including from Federal, State, and private sources.

If we are to win the race for talent, we need a long-term plan that produces the best workforce in the world. I am encouraged by these institutions' open discussion of one of our Nation's most pressing problems—investing in innovative research ideas that will drive our economy and the middle class into the future. I recognize the efforts of these stakeholders and the Commonwealth as they build on the substantial successes already achieved by Virginia's colleges and universities.•

TRIBUTE TO LIEUTENANT COLONEL MARK A. SCHRAMEK

• Mr. COCHRAN. Mr. President, I am pleased to congratulate Lt. Col. Mark A. Schramek on the occasion of his retirement from the U.S. Air Force after more than 20 years of service. A native of Duluth, MN, he has served our country with distinction both at home and abroad.

An intelligence officer by training, Lieutenant Colonel Schramek has held a number of important operational and headquarters assignments. In 2009, he became a Congressional liaison officer for the U.S. Air Force, a demanding and important position within the Department of Defense. As a Congressional liaison officer, he developed and implemented effective legislative strategies and supported some of the most important programs to the Department of Defense.

Having worked with Lieutenant Colonel Schramek over the past few years, I am pleased to commend him for his distinguished service to our country. I wish him and his family the very best as they begin the next chapter of their lives.•

CONGRATULATING BILL DEIST

• Mr. HELLER. Mr. President, I wish today to congratulate Bill Deist, of Winnemucca, NV, on his retirement. After serving the community of Humboldt County for over 15 years, Bill will be retiring in December 2014. It gives me great pleasure to congratulate him on his retirement after many years of hard work and dedication to Humboldt County and the Silver State.

Bill stands as a shining example of someone who has devoted their life to the betterment of their community. He started serving the Silver State in 1997 when he moved to Carlin, NV. His experience of over 19 years as the city manager in John Day, OR, made him an extremely qualified candidate to become the Carlin city manager—a position that he held for 2 years. After his years as the city manager, Bill became the Humboldt County administrator, a position that he has held with integrity for the past 15 years.

Upon becoming the Humboldt County administrator, Bill became a person known for getting things done. He always worked well with all city, county, and State governments throughout his career. His consistent priority was to create initiatives geared toward the betterment and improvement of the lives of the Humboldt County citizens. Among his many accomplishments, Bill has been credited with the creation of a strong county budget and upon his retirement, he will be leaving the county debt free and fiscally strong.

While representing Humboldt County for 4 years in the U.S. House of Representatives, and now as its U.S. Senator, I have had the distinct pleasure of working closely with Bill on important Northern Nevada priorities. Bill was an integral part of the Pine Forest review and assessment working group that worked for years to develop recommendations that were ultimately included in the Pine Forest Range Recreation Enhancement Act, legislation I have fought to enact as a member of the Senate Energy and Natural Resources Committee. This bill, which would greatly benefit Humboldt County once enacted, has near unanimous support among residents because of the indepth work done prior to introduction. In fact, it is frequently looked to in Congress as a national model for how public lands bills should be developed at the grassroots level. Public input and local support is critical to all my public lands work in the Energy and Natural Resources Committee on behalf of the State, and Bill's input has been vital in nearly every effort I have been involved in benefiting the county.

Bill exemplifies the highest standards of leadership and community service and should be proud of his long and meaningful career. I am grateful for his dedication and commitment to the people of Humboldt County and to the State of Nevada. Today, I ask that all of my colleagues join me in congratulating Bill on his retirement, and I offer my deepest appreciation for all that he has done to make the Silver State an even better place. I offer my best wishes for many successful and fulfilling years to come.•

RECOGNIZING DR. NORMAN CHRISTOPHER FRANCIS

• Ms. LANDRIEU. Mr. President, I wish to recognize and honor Dr. Norman Christopher Francis, who has devoted much of his life to increasing access to, quality of, and affordability of postsecondary education for students. Dr. Francis recently retired from his remarkable tenure as president of Xavier University, a renowned Historically Black University and one of Louisiana's most cherished institutions of higher education. He has left behind an indelible mark of impressive leadership and results. On behalf of the U.S. Senate and the State of Louisiana, I applaud Dr. Francis for his devotion to Louisiana's higher education system and thank him for his many years of service.

Dr. Francis began his journey in the field of higher education country more than 60 years ago as a student at Xavier University and grew into a cherished leader who later served as the university's president for 46 years. This makes him the longest tenured leader of any university in America—quite a remarkable achievement. He is one of the most admired and respected leaders not only in New Orleans and Louisiana but in our Nation today. In an extraordinary career, he took an active and vital leadership role during the tumultuous decades of civil rights battles in

Louisiana. Decades later, he helped Governor Kathleen Blanco guide our State out of one of its darkest periods following the devastating impact of Hurricanes Katrina and Rita as chairman of the Louisiana Recovery Authority. His leadership and expertise played an important role in the rebuilding of a world-class quality, State public higher education system.

On a personal note, Dr. Francis is one of our family's closest and most cherished friends, and he has most certainly earned his retirement. And as a devoted family man, I know he is looking forward to more time with his dear wife Blanche, children and growing grandchildren.

I am proud that Louisiana's higher education system, especially our valued Historically Black Colleges and Universities, have had the strong leadership and guidance of Dr. Francis over the years and I am grateful for his service. Dr. Francis' leadership as the president of Xavier University will be missed; however, I have full faith and trust that he will continue to lead in improving the educational prospects and outcomes for Louisiana's students in whatever role he pursues next. Once again, I am privileged and honored to formally recognize Dr. Norman Christopher Francis for his commitment and efforts to strengthen higher education in Louisiana and the Nation.●

TRIBUTE TO STUART CAMPBELL

● Mr. THUNE. Mr. President, today I recognize Stuart Campbell, an intern in my Washington, DC office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Stuart is a graduate of Central High School in Aberdeen, SD. Currently, Stuart is attending Georgetown University, where he is majoring in Science and Technology in International Affairs. Stuart is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Stuart Campbell for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ROSS DIETRICH

● Mr. THUNE. Mr. President, today I recognize Ross Dietrich, an intern in my Washington, DC office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Ross is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, Ross is attending the University of South Dakota, where he is working toward an M.A. in addiction studies. Ross is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Ross Dietrich for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MARIA ECKRICH

● Mr. THUNE. Mr. President, today I recognize Maria Eckrich, an intern in my Washington, DC office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Maria is a graduate of Lincoln High School in Sioux Falls, SD. Currently, Maria is attending American University's School of International Service, where she is studying global governance, politics, and security. Maria is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Maria Eckrich for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ANNE KEOUGH

● Mr. THUNE. Mr. President, today I recognize Anne Keough, an intern in my Washington, DC office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Anne is a graduate of Lincoln High School in Sioux Falls, SD. Currently, Anne is attending George Washington University, where she is majoring in international affairs/security policy and Arabic. Anne is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Anne Keough for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MEGAN REIFFENBERGER

● Mr. THUNE. Mr. President, today I recognize Megan Reiffenberger, an intern in my Washington, DC office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Megan is a graduate of Watertown High School in Watertown, SD. Currently, Megan is attending George Mason University, where she is majoring in English. Megan is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Megan Reiffenberger for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO KELSEY SAKOS

● Mr. THUNE. Mr. President, today I recognize Kelsey Sakos, an intern in my Rapid City, SD office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Kelsey is a graduate of Stevens High School in Rapid City, SD. Currently, Kelsey is attending Black Hills State University, where she is majoring in political science/social science. Kelsey is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Kelsey Sakos for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING PROFESSORS OF THE YEAR

● Mr. UDALL of Colorado. Mr. President, today I congratulate the four national winners of the U.S. Professor of the Year Award. Since 1981, this program has recognized outstanding undergraduate instructors throughout the country. A U.S. Professor of the Year was also recognized in 30 states and the District of Columbia.

This award is hailed as one of the most prestigious honors bestowed upon a professor. To be nominated for this award requires dedication to the art of education and excellence in every aspect of the profession. There is no doubt that professors who personally vest themselves in each student shape the leaders of tomorrow. These individuals should be proud of their accomplishments and contributions to a brighter future.

I am particularly proud of Dr. Branislav Notaros, the State winner from Colorado. As a professor of electrical and computer engineering and Director of the Electromagnetics Laboratory at Colorado State University, Dr. Notaros' research has been instrumental in advancing the field of electromagnetics. He has won numerous awards in recognition of his work, including the 2005 IEEE Microwave Prize and the 2009 CSU Excellence in Teaching Award.

I commend and thank Dr. Notaros and all the winners for their leadership and passion for educating our nation's young leaders. No doubt they have inspired an untold number of students. I wish all of the honorees the very best in all their endeavors. Congratulations and best regards.

The four national award winners are: Outstanding Baccalaureate Colleges Professor of the Year: Laurie Grobman, Professor of English and Women's Studies, Pennsylvania State University Berks; Outstanding Community Colleges Professor of the Year: John Wadach, Professor of Engineering Science and Physics, Monroe Community College; Outstanding Doctoral and Research Universities Professor of the Year: Sheri Sheppard, Professor of Mechanical Engineering, Stanford University and Outstanding Master's Universities and Colleges Professor of the Year: Patricia H. Kelley, Professor of Geology, University of North Carolina Wilmington.

The 30 state and District of Columbia winners are:

Alabama—Eric J. Fournier, Professor of Geography, Samford University;

Arizona—James Sousa, Mathematics Instructor, Phoenix College;

California—Mitch Malachowski, Professor of Chemistry, University of San Diego;

Colorado—Branislav M. Notaroš, Professor of Electrical and Computer Engineering, Colorado State University;

Connecticut—Hisae Kobayashi, Senior Lecturer in Japanese, Connecticut College;

District of Columbia—Heidi Elmendorf, Associate Professor of Biology, Georgetown University;

Delaware—Beth Morling, Professor of Psychological and Brain Sciences, University of Delaware;

Florida—Rosany H. Alvarez, Mathematics Professor, Miami Dade College;

Georgia—John A. Knox, Associate Professor and Undergraduate Coordinator, Department of Geography, University of Georgia;

Idaho—Karen Launchbaugh, Professor of Rangeland Ecology, University of Idaho;

Illinois—Dan Gebo, Professor of Anthropology, Northern Illinois University;

Indiana—Michelle A. Whaley, Teaching Professor, Biological Sciences, University of Notre Dame;

Kentucky—Cindy S. Tucker, Associate Professor, Computer and Information Technologies, Bluegrass Community and Technical College;

Maryland—KenYatta Rogers, Professor of Theatre, Montgomery College Rockville Campus;

Massachusetts—Beth McGinnis-Cavanaugh, Professor of Physics and Civil Engineering Technology, Springfield Technical Community College;

Michigan—Cynthia Wade, Math Professor, St. Clair County Community College;

Minnesota—Kyja Kristjansson-Nelson, Professor of Film, Minnesota State University Moorhead;

Mississippi—Kenneth Sufka, Professor of Psychology and Pharmacology, University of Mississippi;

Missouri—Andrea Nichols, Professor of Sociology, St. Louis Community College at Forest Park;

Nebraska—Greg W. Zacharias, Professor of English and Director, Center for Henry James Studies, Creighton University;

New Jersey—Darrin M. York, Professor of Chemistry, Rutgers, The State University of New Jersey;

New York—Cynthia Jones, Lecturer, English Department, Hostos Community College of The City University of New York;

North Carolina—Karen Hornsby, Associate Professor of Philosophy, North Carolina A&T State University;

Ohio—Elizabeth George, Professor of Physics, Wittenberg University;

Oregon—Jennifer Corpus, Professor of Psychology, Reed College;

Pennsylvania—Richard L. Wallace, Professor of Environmental Studies, Ursinus College;

South Carolina—Milind N. Kunchur, Professor, Department of Physics and Astronomy, University of South Carolina;

Texas—Collin Thomas, Professor of Biology, Collin College;

Virginia—Paul Hanstedt, Professor of English, Roanoke College;

West Virginia—Kateryna A.R. Schray, Professor, Department of English, Marshall University; and

Wisconsin, Scott Cooper, Professor of Biology and Director of Undergraduate Research and Creativity, University of Wisconsin—La Crosse.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:48 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3398. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

H.R. 3583. An act to expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program.

H.R. 4012. An act to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible.

H.R. 5448. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts.

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

H.R. 5728. An act to amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.

At 11:58 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 119. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

MEASURES REFERRED

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

H.R. 3398. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes; to the Committee on Foreign Relations.

H.R. 4012. An act to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3583. An act to expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–7899. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Civil Penalty Inflation Adjustment for Commercial Space Adjudications; Second Amendment'' ((RIN2120–AK55) (Docket No. FAA–2014–0822)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7900. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Proposed Establishment of Class E Airspace; Alma, NE'' ((RIN2120–AA66) (Docket No. FAA–2014–0745)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7901. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Proposed Establishment of Class E Airspace; Cando, ND'' ((RIN2120–AA66) (Docket No. FAA–2014–0746)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7902. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Proposed Establishment of Class E Airspace; Encinal, TX'' ((RIN2120–AA66) (Docket No. FAA–2014–0741)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7903. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Thomas, OK'' ((RIN2120–AA66) (Docket No. FAA–2014–0263)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7904. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Restricted Areas R–4105A and R–4105B; No Man's Land Island, MA'' ((RIN2120–AA66) (Docket No. FAA–2014–0760)) received

during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7905. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Change of Controlling Agency for Restricted Areas; California'' ((RIN2120–AA66) (Docket No. FAA–2014–0722)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7906. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airplane and Engine Certification Requirements in Supercooled Large Drop, Mixed Phase, and Ice Crystal Icing Conditions'' ((RIN2120–AJ34) (Docket No. FAA–2010–0636; Amdt. Nos. 25–140 and 33–34)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7907. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Orders of Compliance, Cease and Desist Orders, Orders of Denial, and Other Orders'' ((RIN2120–AK43) (Docket No. FAA–2014–0505; Amdt. No. 13–36A)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7908. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Departing IFR/VFR When Weather Reporting Is Not Available; Confirmation of Effective Date'' ((RIN2120–AK49) (Docket No. FAA–2014–0502; Amdt. No. 135–131)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7909. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fiberglas-Technik Rudolf Lindner GmbH and Co. KG Gliders'' ((RIN2120–AA64) (Docket No. FAA–2014–0292)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7910. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0287)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7911. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0581)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7912. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0140)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7913. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company; Beech Aircraft Corporation) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0345)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7914. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0705)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7915. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0532)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7916. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc. Air Data Pressure Transducers'' ((RIN2120–AA64) (Docket No. FAA–2014–0285)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7917. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0832)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7918. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0451)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7919. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2007–28413)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7920. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0548)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7921. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0431)) received during adjournment of the Senate in the Office of the President of the Senate on November 14, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7922. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0290)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7923. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0283)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7924. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters, Inc. (Previously Eurocopter France) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0757)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7925. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Alexandria Aircraft LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0438)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7926. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Brantly International, Inc. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1093)) received in the Office of the President of the Senate on November 13,

2014; to the Committee on Commerce, Science, and Transportation.

EC–7927. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0740)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7928. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0516)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7929. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0494)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7930. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0654)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7931. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0650)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7932. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0058)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7933. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Harmonization of Airworthiness Standards—Miscellaneous Structures Requirements'' ((RIN2120–AK13) (Docket No. FAA–2013–0109)) received in the Office of the President of the Senate on November 13, 2014; to the Committee on Commerce, Science, and Transportation.

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–351. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from outer continental shelf oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION 26

Whereas oil and gas development in federal areas, both onshore and offshore, requires additional investment in state infrastructure and increases demand on state and local government resources; and

Whereas, under the Mineral Lands Leasing Act of 1920, the federal government recognizes the effects of oil and gas development in federal onshore areas by sharing with the states 50 percent of revenue from mineral production on federal land within each state's boundaries; and

Whereas, under the Outer Continental Shelf Lands Act, the federal government recognizes the effect oil and gas development in federal near-shore areas has on states by sharing with those states 27 percent of revenue collected from federal oil and gas leases within three miles of the states' coastlines; and

Whereas, under the Gulf of Mexico Energy Security Act of 2006, the federal government recognizes the effect that oil and gas development in federal offshore areas has on the states of Alabama, Louisiana, Mississippi, and Texas, and recognizes the contributions to national energy, security, and economic interests made by sharing with those states 37.5 percent of revenue from federal oil and gas leases in outer continental shelf areas adjacent to each state; and

Whereas the federal government fails to recognize the same effects on and contributions made by other oil and gas producing states adjacent to federal outer continental shelf areas, including this state and California; and

Whereas the Alaska outer continental shelf region encompasses the Beaufort, Chukchi, and Bering seas, Cook Inlet, and the Gulf of Alaska, includes over 1,000,000,000 acres, and contains more than 6,000 miles of coastline, which is more coastline than the rest of the United States combined; and

Whereas there are presently 607 active oil and gas leases and more than 3,300,000 acres of leased land in the Alaska outer shelf continental region; and

Whereas federal government grants do not adequately address the need for additional investment in state infrastructure or the increased demands on state and local government resources resulting from outer continental shelf development, especially in this state, which has more coastline, more rural communities, and less infrastructure than any other state; and

Whereas outer continental shelf revenue sharing would allow states to build infrastructure such as marine ports, airports, utilities, and housing, and increase state services, such as oil spill and emergency response and environmental monitoring and mitigation, which would likely lead to expanded, safer exploration and development activity and increase overall revenue to the federal government; and

Whereas additional state infrastructure and increased availability of state and local government resources would likely increase interest in and bids during future federal outer continental shelf oil and gas lease sales, which have generated over $2,750,000,000 in revenue for the federal government in the Alaska outer continental shelf region alone since 2005; and

Whereas outer continental shelf revenue sharing could provide a stable funding source for and help fulfill the mission of the Land and Water Conservation Fund, a national fund created to safeguard natural areas, water resources, and cultural heritage and to provide recreation opportunities: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from outer continental shelf oil and gas production to ensure the states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

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 Sally Jewell, United States Secretary of the Interior; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Eric Cantor, Majority Leader of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Mary Landrieu, Chair of the U.S. Senate Committee on Energy and Natural Resources; 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 all other members of the 113th United States Congress.

POM–352. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to enact legislation that would require approval by Acts of the Alaska State Legislature and the United States Congress before establishing an international designation of land or water in the State of Alaska; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION 15

Whereas Alaska and the Russian Far East are close neighbors across the Bering Sea, and archaeologists believe that the area was a migration route used by many peoples moving from Asia and populating North and South America; and

Whereas some of the indigenous peoples of Western Alaska and the Russian Far East speak the same language and share the same customs and traditions but have, until recent times, been separated by political differences between their respective countries; and

Whereas, in recent years, various events and exchanges have been organized to reconnect the residents of Western Alaska and those of the Russian Far East; and

Whereas the areas of Western Alaska and the Russian Far East have been referred to as Beringia; and

Whereas, in 2010, the United States and Russia began negotiations to develop a Memorandum of Understanding for the purpose of establishing an international protected area in the Bering Strait region that would include the Bering Land Bridge National Preserve, the Cape Krusenstern National Monument, and, in the Chukotka region of Russia, the yet-to-be-created Beringia International Park; and

Whereas the National Park Service identifies and defines Beringia as the area bounded

on the east by the Mackenzie River in Canada, on the west by the Lena River in Russia, on the north by 72 degrees North latitude, and on the south by the southern tip of Kamchatka, leaving only the south-central and southeastern limits to be determined; and

Whereas the federal government historically has attempted to expand the scope of its influence beyond Alaska park boundaries, including the attempt to establish game buffer zones around Denali National Park and Preserve; and

Whereas, during the past two decades, the National Park Service has repeatedly expanded the size of the area identified as Beringia; and

Whereas the National Park Service manages the Shared Beringian Heritage Program and seeks to foster mutual understanding and cooperation between the United States and Russia and between the indigenous peoples of Western Alaska and the Russian Far East by promoting cultural exchange, supporting subsistence opportunities, and working toward an international designation for the land and water in the area identified as Beringia; and

Whereas, for many years, the National Park Service has pursued a program to establish a Beringia International Park that potentially could evolve into a world heritage site or a marine biosphere reserve and would include land and water in Alaska and the Russian Far East; and

Whereas officials of the United States Department of State and the National Park Service have traveled throughout Russia and spoken before the Russian Duma in Moscow; and

Whereas the international designations contemplated by the National Park Service for the areas included in Beringia are an invitation and another means for United States and foreign environmental nongovernmental organizations to oppose resource development on public and Alaska Native land and water in the state; and

Whereas many Alaskans are concerned that the proposed Beringia International Park would impede future rights of access for the Red Dog Mine, the primary economic engine in Northwest Alaska; and

Whereas Alaska Native corporations and the state specifically selected much of their land because of the mineral potential and the opportunity to create jobs and other economic opportunities for the people of the state; and

Whereas, in September 2012, Governor Sean Parnell sent a letter to then United States Secretary of State Hillary Rodham Clinton asking for time to conduct a meaningful review of the proposed Memorandum of Understanding regarding Beringia and to provide input on the possible effects of the Memorandum of Understanding on the region and the state; and

Whereas, on January 17, 2013, Russian Prime Minister Dmitry Medvedev signed a decree creating Beringia National Park as a Russian National Park in the Chukotka Region; and

Whereas, in October 2013, members of the Alaska State Legislature learned that the United States Department of State, the National Park Service, and the Russian Federation were in the final stages of formalizing a Memorandum of Understanding regarding a transboundary protected area in the Bering Strait region; and

Whereas the current effort to formalize a transboundary protected area would be the first step in imposing international designations and could reduce the sovereignty of the state and the United States over the burdened parts of the state, in violation of the Alaska Statehood Compact, the Alaska Native Claims Settlement Act, and the Alaska National Interest Lands Conservation Act; and

Whereas the Department of Fish and Game is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of fish and wildlife resources in the state, including management responsibilities on National Park Service land; and

Whereas, in the 1982 Master Memorandum of Understanding between the Department of Fish and Game and the National Park Service, the parties agreed to ''consider carefully the impact on the State of Alaska of proposed treaties or international agreements relating to fish and wildlife resources which could diminish the jurisdictional authority of the State, and to consult freely with the State when such treaties or agreements have a significant impact on the State''; Now, therefore, be it

Resolved, That the Alaska State Legislature asserts that any international Memorandum of Understanding or other action to designate land or water in the state as an international park, world heritage site, biosphere reserve, Ramsar site, or classification of land or water that affects the proper use of the land or water by the state or an Alaska Native corporation should require approval by Acts of the Alaska State Legislature and the United States Congress before taking effect; and be it further

Resolved, That the Alaska State Legislature requests that the United States Department of State and the United States Department of the Interior cease all further action to establish an international designation of land or water in the state until the United States Congress and the Alaska State Legislature approve; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the United States Congress enact a law that requires Congressional approval of any international designation that affects the use of land or water by the state or the United States; and be it further

Resolved, That the Alaska State Legislature requests that, if the United States Department of State or the United States Department of the Interior nevertheless pursues or proposes the designation of land or water as an international park, world heritage site, biosphere reserve, Ramsar site, or classification of land or water that affects the proper use of the land or water by the state or an Alaska Native corporation, the governor be actively involved in the process and development of any joint action plan; and be it further

Resolved, That the Alaska State Legislature requests that the state, including the departments responsible for the management of fish and wildlife and other natural resources, be an integral if not primary part of any discussion, agreement, understanding, or other process or document that affects the use or development of fish and wildlife and other natural resources in the state; and be it further

Resolved, That the Alaska State Legislature urges the governor and the attorney general to reserve all legal remedies, including the recovery of damages, for a taking of the natural resources of the state in violation of the Alaska Statehood Compact, should a designation of land and water in the state as an international park, world heritage site, biosphere reserve, Ramsar site, or other classification hamper the use or development of the natural resources of the state.

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 F. Kerry, United States Secretary of State; the Honorable Sally Jewell, United States Secretary of the Interior; the Honorable Jonathan B. Jarvis, director of the National Park Service, United States Department of the Interior; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Mary Landrieu, Chair of the Energy and Natural Resources Committee of the U.S. Senate; the Honorable Sean Parnell, Governor of Alaska; the Honorable Michael C. Geraghty, Alaska Attorney General; 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 all other members of the 113th United States Congress.

POM–353. A concurrent resolution adopted by the Legislature of the State of Alaska urging the United States Congress to act on the request of the governor to acquire for the State additional land in the Tongass National Forest from the United States Government by purchase or negotiation or by seeking amendment to the Alaska Statehood Act; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION 2

Whereas the Tongass National Forest was created in 1907 by a proclamation of President Theodore Roosevelt; and

Whereas, under the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339), the federal government provided Alaska with a 103,350,000-acre land entitlement, which was considered to be sufficient for the newly formed state to become economically self-supporting; and

Whereas the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339) gave the state 25 years to select land for entitlement; and

Whereas the 25-year period established in the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339) as the period in which the state may select land for entitlement was later extended, in effect, by various legislation, with the result that approximately 5,500,000 acres of the land entitlement granted to the state by the Act have not yet been conveyed; and

Whereas, from the 1950s through the early 1990s, the commercial harvest of timber formed a major part of the economy of Southeast Alaska; and

Whereas the commercial harvest of timber no longer forms a major part of the economy of Southeast Alaska because the timber industry does not have access to an adequate amount of timber that can be economically harvested from the Tongass National Forest; and

Whereas, in the past four years, several efforts to revitalize the timber industry in Southeast Alaska have failed because a timber industry cannot exist without an adequate timber supply; and

Whereas the United States Congress has placed 40 percent of the Tongass National Forest off limits for commercial use, and the United States Forest Service has administratively set aside an additional 58 percent of the Tongass National Forest; and

Whereas, at the present time, only two percent of the Tongass National Forest is managed for the purpose of providing local communities with the opportunity to harvest timber; and

Whereas 91 percent of the old growth timber standing in the Tongass National Forest in 1954 remains standing, and the remaining nine percent that has been harvested has now been replaced with young growth timber

that will begin maturing in about 30 years; and

Whereas findings prepared by the Alaska Timber Jobs Task Force in June 2012 reveal that the timber industry is vitally important to statewide and regional economies in the state; and

Whereas the principal barrier to job creation in the Southeast Alaska timber industry is the lack of a sufficient amount of timber that can be economically harvested from the Tongass National Forest; and

Whereas an unrealistic Tongass Land Management Plan dictated by Washington, D.C., endless environmental legal appeals, and a lack of political will by public officials who are in a position to support meeting timber harvest targets have prevented the United States Forest Service from providing the timber industry access to enough economically harvestable timber in the Tongass National Forest to make the timber industry commercially viable in Southeast Alaska; and

Whereas because the United States Forest Service has not been able to provide the timber industry with access to enough economically harvestable timber in the Tongass National Forest to sustain the timber industry in Southeast Alaska, it is time for the United States Congress to act on the governor's request to acquire additional land in the Tongass National Forest that will provide enough economically harvestable timber to create a sustainable economic base for the communities of Southeast Alaska; and

Whereas sec. 6 of the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339) limited the state's selection of land from the Tongass National Forest and the Chugach National Forest to 400,000 acres with the intention of preserving timber for federal long-term sales; and

Whereas sec. 6 of the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339) allowed the state to select land in other regions of the state without restricting the use of the land to recreation and community expansion, and, because the timber industry in Southeast Alaska has become unsustainable, the state should be entitled to acquire some of its remaining land entitlement under the Alaska Statehood Act from the Tongass National Forest: Now, therefore, be it

Resolved, That the Alaska State Legislature respectfully urges the United States Congress to act on the governor's request to negotiate state land entitlements under sec. 6 of the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339) or work to amend the Alaska Statehood Act for the purpose of acquiring forested land in the Tongass National Forest; and be it further

Resolved, That, if the United States Congress fails to convey forested land in the Tongass National Forest either by negotiating state land entitlements under the Alaska Statehood Act (P.L. 85–508, 72 Stat. 339) or by amending the Alaska Statehood Act, the Alaska State Legislature urges the governor to negotiate the purchase of forested land in the Tongass National Forest from the federal government.

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 Sally Jewell, United States Secretary of the Interior; the Honorable Tom Vilsack, United States Secretary of Agriculture; 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 Honorable Sean Parnell, Governor of Alaska.

POM–354. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to enact legislation that would require approval by Acts of the Alaska State Legislature and the United States Congress before establishing an international designation of land or water in the State of Alaska; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION 15

Whereas Alaska and the Russian Far East are close neighbors across the Bering Sea, and archaeologists believe that the area was a migration route used by many peoples moving from Asia and populating North and South America; and

Whereas some of the indigenous peoples of Western Alaska and the Russian Far East speak the same language and share the same customs and traditions but have, until recent times, been separated by political differences between their respective countries; and

Whereas in recent years, various events and exchanges have been organized to reconnect the residents of Western Alaska and those of the Russian Far East; and

Whereas the areas of Western Alaska and the Russian Far East have been referred to as Beringia; and

Whereas, in 2010, the United States and Russia began negotiations to develop a Memorandum of Understanding for the purpose of establishing an international protected area in the Bering Strait region that would include the Bering Land Bridge National Preserve, the Cape Krusenstern National Monument, and, in the Chukotka region of Russia, the yet-to-be created Beringia International Park; and

Whereas the National Park Service identifies and defines Beringia as the area bounded on the east by the Mackenzie River in Canada, on the west by the Lena River in Russia, on the north by 72 degrees North latitude, and on the south by the southern tip of Kamchatka, leaving only the south-central and southeastern limits to be determined; and

Whereas the federal government historically has attempted to expand the scope of its influence beyond Alaska park boundaries, including the attempt to establish game buffer zones around Denali National Park and Preserve; and

Whereas, during the past two decades, the National Park Service has repeatedly expanded the size of the area identified as Beringia; and

Whereas the National Park Service manages the Shared Beringian Heritage Program and seeks to foster mutual understanding and cooperation between the United States and Russia and between the indigenous peoples of Western Alaska and the Russian Far East by promoting cultural exchange, supporting subsistence opportunities, and working toward an international designation for the land and water in the area identified as Beringia; and

Whereas, for many years, the National Park Service has pursued a program to establish a Beringia International Park that potentially could evolve into a world heritage site or a marine biosphere reserve and would include land and water in Alaska and the Russian Ear East; and

Whereas officials of the United States Department of State and the National Park Service have traveled throughout Russia and spoken before the Russian Duma in Moscow; and

Whereas the international designations contemplated by the National Park Service for the areas included in Beringia are an invitation and another means for United States and foreign environmental nongovernmental organizations to oppose resource development on public and Alaska Native land and water in the state; and

Whereas many Alaskans are concerned that the proposed Beringia International Park would impede future rights of access for the Red Dog Mine, the primary economic engine in Northwest Alaska; and

Whereas Alaska Native corporations and the state specifically selected much of their land because of the mineral potential and the opportunity to create jobs and other economic opportunities for the people of the state; and

Whereas, in September 2012, Governor Sean Parnell sent a letter to then United States Secretary of State Hillary Rodham Clinton asking for time to conduct a meaningful review of the proposed Memorandum of Understanding regarding Beringia and to provide input on the possible effects of the Memorandum of Understanding on the region and the state; and

Whereas, on January 17, 2013, Russian Prime Minister Dmitry Medvedev signed a decree creating Beringia National Park as a Russian National Park in the Chukotka Region; and

Whereas, in October 2013, members of the Alaska State Legislature learned that the United States Department of State, the National Park Service, and the Russian Federation were in the final stages of formalizing a Memorandum of Understanding regarding a transboundary protected area in the Bering Strait region; and

Whereas the current effort to formalize a transboundary protected area would be the first step in imposing international designations and could reduce the sovereignty of the state and the United States over the burdened parts of the state, in violation of the Alaska Statehood Compact, the Alaska Native Claims Settlement Act, and the Alaska National Interest Lands Conservation Act; and

Whereas the Department of Fish and Game is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of fish and wildlife resources in the state, including management responsibilities on National Park Service land; and

Whereas, in the 1982 Master Memorandum of Understanding between the Department of Fish and Game and the National Park Service, the parties agreed to ''consider carefully the impact on the State of Alaska of proposed treaties or international agreements relating to fish and wildlife resources which could diminish the jurisdictional authority of the State, and to consult freely with the State when such treaties or agreements have a significant impact on the State'': Now, therefore, be it

Resolved, That the Alaska State Legislature asserts that any international Memorandum of Understanding or other action to designate land or water in the state as an international park, world heritage site, biosphere reserve, Ramsar site, or classification of land or water that affects the proper use of the land or water by the state or an Alaska Native corporation should require approval by Acts of the Alaska State Legislature and the United States Congress before taking effect; and be it further

Resolved, That the Alaska State Legislature requests that the United States Department of State and the United States Department of the Interior cease all further action to establish an international designation of land or water in the state until the United States Congress and the Alaska State Legislature approve; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the United States Congress enact a law that requires Congressional approval of any international designation that affects the use of land or water by the state or the United States; and be it further

Resolved, That the Alaska State Legislature requests that, if the United States Department of State or the United States Department of the Interior nevertheless pursues or proposes the designation of land or water as an international park, world heritage site, biosphere reserve, Ramsar site, or classification of land or water that affects the proper use of the land or water by the state or an Alaska Native corporation, the governor be actively involved in the process and development of any joint action plan; and be it further

Resolved, That the Alaska State Legislature requests that the state, including the departments responsible for the management of fish and wildlife and other natural resources, be an integral if not primary part of any discussion, agreement, understanding, or other process or document that affects the use or development of fish and wildlife and other natural resources in the state; and be it further

Resolved, That the Alaska State Legislature urges the governor and the attorney general to reserve all legal remedies, including the recovery of damages, for a taking of the natural resources of the state in violation of the Alaska Statehood Compact, should a designation of land and water in the state as an international park, world heritage site, biosphere reserve, Ramsar site, or other classification hamper the use or development of the natural resources of the state.

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 F. Kerry, United States Secretary of State; the Honorable Sally Jewell, United States Secretary of the Interior; the Honorable Jonathan B. Jarvis, director of the National Park Service, United States Department of the Interior; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Mary Landrieu, Chair of the Energy and Natural Resources Committee of the U.S. Senate; the Honorable Sean Parnell, Governor of Alaska; the Honorable Michael C. Geraghty, Alaska Attorney General; 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 all other members of the 113th United States Congress.

POM–355. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from outer continental shelf oil and gas development on the outer continental shelf to ensure that those states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION 26

Whereas oil and gas development in federal areas, both onshore and offshore, requires additional investment in state infrastructure and increases demand on state and local government resources; and

Whereas, under the Mineral Lands Leasing Act of 1920, the federal government recognizes the effects of oil and gas development in federal onshore areas by sharing with the states 50 percent of revenue from mineral production on federal land within each state's boundaries; and

Whereas, under the Outer Continental Shelf Lands Act, the federal government recognizes the effect oil and gas development in federal near-shore areas has on states by sharing with those states 27 percent of revenue collected from federal oil and gas leases within three miles of the states' coastlines; and

Whereas, under the Gulf of Mexico Energy Security Act of 2006, the federal government recognizes the effect that oil and gas development in federal offshore areas has on the states of Alabama, Louisiana, Mississippi, and Texas, and recognizes the contributions to national energy, security, and economic interests made by sharing with those states 37.5 percent of revenue from federal oil and gas leases in outer continental shelf areas adjacent to each state; and

Whereas the federal government fails to recognize the same effects on and contributions made by other oil and gas producing states adjacent to federal outer continental shelf areas, including this state and California; and

Whereas the Alaska outer continental shelf region encompasses the Beaufort, Chukchi, and Bering seas, Cook Inlet, and the Gulf of Alaska, includes over 1,000,000,000 acres, and contains more than 6,000 miles of coastline, which is more coastline than the rest of the United States combined; and

Whereas there are presently 607 active oil and gas leases and more than 3,300,000 acres of leased land in the Alaska outer shelf continental region; and

Whereas federal government grants do not adequately address the need for additional investment in slate infrastructure or the increased demands on state and local government resources resulting from outer continental shelf development, especially in this state, which has more coastline, more rural communities, and less infrastructure than any other state; and

Whereas outer continental shelf revenue sharing would allow states to build infrastructure such as marine ports, airports, utilities, and housing, and increase state services, such as oil spill and emergency response and environmental monitoring and mitigation, which would likely lead to expanded, safer exploration and development activity and increase overall revenue to the federal government; and

Whereas additional state infrastructure and increased availability of state and local government resources would likely increase interest in and bids during future federal outer continental shelf oil and gas lease sales, which have generated over $2,750,000,000 in revenue for the federal government in the Alaska outer continental shelf region alone since 2005; and

Whereas outer continental shelf revenue sharing could provide a stable funding source for and help fulfill the mission of the Land and Water Conservation Fund, a national fund created to safeguard natural areas, water resources, and cultural heritage and to provide recreation opportunities: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the United States Congress to provide a means for consistently and equitably sharing with all oil and gas producing states adjacent to federal outer continental shelf areas a portion of revenue generated from outer continental shelf oil and gas production to ensure the states develop necessary infrastructure to support outer continental shelf development and preserve environmental integrity.

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 Sally Jewell, United States Secretary of the Interior; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Eric Cantor, Majority Leader of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Mary Landrieu, Chair of the U.S. Senate Committee on Energy and Natural Resources; 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 all other members of the 113th United States Congress.

POM–356. A joint resolution adopted by the Legislature of the State of Alaska urging the President of the United States and the United States Congress to repeal the excise tax on medical devices; to the Committee on Finance.

HOUSE JOINT RESOLUTION 20

Whereas a new federal excise tax of 2.3 percent on the sale of taxable medical devices by manufacturers, producers, and importers of those devices took effect January 1, 2013; and

Whereas the medical device tax is imposed on United States sales, rather than profits, of medical device manufacturers, producers, and importers and will be particularly damaging to innovative start-up companies; and

Whereas the medical device tax was projected to raise $20,000,000,000, but that estimate has risen to over $30,000,000,000; and

Whereas the medical device tax will substantially increase the cost of health care and takes direct aim at American innovation by punishing the researchers and manufacturers of devices such as heart stents, pacemakers, patient monitors, artificial hips, limbs, and hearts, and a multitude of other medical devices; and

Whereas thousands of layoffs in the United States have already occurred because of the medical device tax; and

Whereas the medical device tax threatens regional economic vitality, badly needed jobs, and patients' hopes for new, life-saving products and treatments; and

Whereas the repeal of the medical device tax has strong bipartisan support: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the President of the United States and the United States Congress to repeal the excise tax on medical devices.

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 Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; 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–357. A joint resolution adopted by the Legislature of the State of Alaska memorializing support for the strategic recommendation of the January 30, 2014, preliminary report of the Alaska Arctic Policy Commission to ''continue to pursue, and actively expand, all avenues of participation in

the Arctic Council, including involvement in working groups and by building partnerships with permanent participants''; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION 24

Whereas, by its very existence, the state enables the United States to be an Arctic nation; and

Whereas, in April 2012, the Alaska State Legislature established the Alaska Arctic Policy Commission to ''develop an Arctic policy for the state and produce a strategy for the implementation of an Arctic policy''; and

Whereas the Alaska Arctic Policy Commission has been working with the National Strategy for the Arctic Region Task Force on how to best craft an Arctic policy that benefits and creates opportunity for the state and the entire United States; and

Whereas the Arctic resources of the state are immense and, with responsible development, could contribute significantly to the economy of the United States and to the entire pan-Arctic region; and

Whereas the Bering Strait serves as the gateway to the Arctic for the marine traffic of the United States and other nations between the Pacific Ocean and the Arctic; and

Whereas the marine traffic through the Bering Strait choke point has been increasing; and

Whereas the Arctic Council is the intergovernmental forum in which all eight Arctic nations participate; and

Whereas the Arctic Council includes six Arctic indigenous communities, four of which are resident in the state, and six permanent working groups, each of which directly affects the state; and

Whereas Canada is the current chair of the Arctic Council, and the United States will be the chair from May 2015 until 2017; and

Whereas the United States should seek local and scientific expertise from the state to inform the nation's input at the Arctic Council; and

Whereas, in December 2012, the Governor proposed to the United States Department of State four priorities for consideration while the United States is chair of the Arctic Council; and

Whereas it is important for the priorities of the state and the United States to be in alignment while the United States holds the position of chair of the Arctic Council; and

Whereas, when the United States ascends to chair of the Arctic Council in 2015, the United States Department of State will appoint one individual as chair of the Arctic Council: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the United States Department of State to consider the priorities of the state while it holds the position of chair of the Arctic Council, including the priorities of the Governor, creating jobs and economic opportunity for Arctic residents, preventing suicide, developing safe and sustainable sanitation facilities for small, isolated Arctic communities, and securing safe and reliable shipping; and be it further:

Resolved, That the Alaska State Legislature requests that the United States Department of State work in partnership with state officials to appoint a chair of the Arctic Council; and be it further

Resolved, That the Alaska State Legislature supports the strategic recommendation of the January 30, 2014, preliminary report of the Alaska Arctic Policy Commission to ''continue to pursue, and actively expand, all avenues of participation in the Arctic Council, including involvement in working groups and by building partnerships with permanent participants.''

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 F. Kerry, United States Secretary of State; the Honorable Robert Menendez, Chair of the U.S. Senate Committee on Foreign Relations; the Honorable Bob Corker, ranking member, U.S. Senate Committee on Foreign Relations; Admiral Robert J. Papp, Jr., Commandant of the United States Coast Guard; the Honorable Sally Jewell, United States Secretary of the Interior; the Honorable Fran Ulmer, Chair, U.S. Arctic Research Commission; the Honorable Kathryn D. Sullivan, Ph.D., Undersecretary of Commerce for Oceans and Atmosphere and National Oceanic and Atmospheric Administration Administrator, U.S. Department of Commerce; the Honorable John Paul Holdren, Director, White House Office of Science and Technology Policy; the Honorable Kerri-Ann Jones, Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs, U.S. Department of State; Alice Hill, Senior Counselor to the Secretary, U.S. Department of Homeland Security; 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–358. A resolution adopted by the Senate of the Commonwealth of Pennsylvania uring the President and Congress of the United States to urge the Government of Iraq to take immediate steps to protect the safety and constitutional rights of all Iraqi citizens; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 430

Whereas, Iraq is currently embroiled in a surge of violence arising from an Islamic State in Iraq and the Levant (ISIL) led offensive that began in the Anbar province, has spread to key locations such as Mosul, Tikrit and Samarra and continues to engulf the region in violence and instability; and

Whereas, on June 29, 2014, ISIL leader Abu Bakr al-Baghdadi renamed the group the Islamic State and pronounced himself caliph of a new Islamic Caliphate encompassing the areas under his control; and

Whereas, Mr. al-Baghdadi has a stated mission of spreading the Islamic State and caliphate across the region through violence against Shiites, non-Muslims and unsupportive Sunnis; and

Whereas, upon taking control over northwestern Iraq and Syria, ISIL issued a warning to Christians living under its jurisdiction to convert to Islam, to pay a burdensome religious tax or to be executed; and

Whereas, over 1,000,000 people have been displaced by violence in Iraq and reports have surfaced of targeted harassment, persecution and killings of Iraqi religious minorities by the Islamic State with little to no protection from the Government of Iraq and other security forces; and

Whereas, reports indicate that Islamic State militants have been marking homes of Christians with the Arabic letter ''N,'' for ''Nazara'' (Christian), beheading children and crucifying captives. ISIL's actions are a crime against humanity and nothing more than genocide or ethnic cleansing against religious minority groups; and

Whereas, the Iraqi constitution provides for religious freedom by stating:

(1) ''no law may be enacted that contradicts the principles of democracy'';

(2) ''no law may be enacted that contradicts the rights and basic freedom stipulated in this Constitution''; and

(3) ''[This Constitution] guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandean Sabeans'';

Whereas, President Barack Obama recently declared on Religious Freedom Day, ''Foremost among the rights Americans hold sacred is the freedom to worship as we choose . . . [W]e also remember that religious liberty is not just an American right; it is a universal human right to be protected here at home and across the globe. This freedom is an essential part of human dignity, and without it our world cannot know lasting peace''; and

Whereas, the atrocities being committed against Christians and other ethnic and religious minority communities in Iraq are unconscionable and represent a crime against humanity: Therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the President and the Congress of the United States to publicly denounce the crimes against humanity occurring in Iraq and to take prudent action to protect Iraqi Christians and other religious minorities from persecution from the Islamic State of Iraq and the Levant; and

Resolved, That the President and Congress urge the Government of Iraq to take immediate steps to protect the safety and constitutional rights of all Iraqi citizens; and

Resolved, That the President and Congress work with the Government of Iraq to bring Islamic State militants to justice before an international forum for war crimes and crimes against humanity; be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–359. 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 in 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 all 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–360. Urging the United States Congress to restore the presumption of a service connection for Agent Orange exposure to United States Veterans who served in the waters defined by and in the airspace over the combat zone in Vietnam, and urging the United States Congress to pass the Toxic Exposure Research and Military Family Support Act of 2013 and to establish a national center for the diagnosis, treatment, and research of health conditions of descendants of veterans exposed to toxic substances; to the Committee on Veterans' Affairs.

HOUSE JOINT RESOLUTION 25

Whereas, during the Vietnam War, the United States military sprayed over 19,000,000 gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; those herbicides contained dioxin, which has since been identified as carcinogenic and has been linked with numerous serious and disabling diseases affecting thousands of veterans; and

Whereas the United States Congress passed the Agent Orange Act of 1991 to address the plight of veterans exposed to herbicides while serving in the Republic of Vietnam; the Act amended Title 38 of the United States Code presumptively to recognize as service-connected certain diseases among military personnel who served in Vietnam between 1962 and 1975; that presumption has provided access to appropriate disability compensation and medical care for Vietnam veterans diagnosed with illnesses such as Type II diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, prostate cancer, Parkinson's disease, multiple myeloma, peripheral neuropathy, AL Amyloidosis respiratory cancers, and soft tissue sarcomas, and others yet to be identified; and

Whereas, under a 2001 directive, the United States Department of Veterans Affairs has denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who cannot furnish written documentation that they had ''boots on the ground'' in-country, making it virtually impossible for countless United States Navy, Marine, and Air Force veterans to pursue their claims for benefits; moreover, personnel who served on ships in the ''Blue Water Navy'' in Vietnamese territorial waters were, in fact, exposed to dangerous airborne toxins, which not only drifted offshore but washed into streams and rivers draining into the South China Sea; and

Whereas the United States Navy has been excluded from coverage under the Agent Orange Act of 1991 although Agent Orange has been verified, through various studies and reports, to be a wide-spreading chemical that was able to reach Navy ships through the air and through waterborne distribution routes; and

Whereas warships positioned off the Vietnamese coast routinely distilled seawater to obtain potable water; a 2002 Australian study found that the distillation process, rather than removing toxins, in fact concentrated dioxin in water used for drinking, cooking, and washing; the Australian Department of Veterans Affairs conducted that study after it found that Vietnam veterans of the Royal Australian Navy had a higher rate of mortality from diseases associated with Agent Orange than did Vietnam veterans of other branches of the military; and

Whereas the United States Centers for Disease Control and Prevention found a higher

risk of specific cancers among United States Navy veterans than among veterans of other branches of the military; and

Whereas herbicides containing dioxin did not discriminate between soldiers on the ground and sailors on ships offshore; and

Whereas Representative Christopher Gibson and 168 cosponsors, including Representative Don Young, introduced the Blue Water Navy Vietnam Veterans Act of 2013; and

Whereas more than 30 veterans service organizations support the Blue Water Navy Vietnam Veterans Act of 2013; and

Whereas, by not passing the Blue Water Navy Vietnam Veterans Act of 2013, a precedent could be set selectively to provide certain groups with injury-related medical care while denying that care to other groups, without any financial, scientific, or consistent reasoning; and

Whereas, when the Agent Orange Act of 1991 passed with no dissenting votes, congressional leaders stressed the importance of responding to the health concerns of Vietnam veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure; the federal government has also demonstrated its awareness of the hazards of Agent Orange exposure through its involvement in the identification, containment, and mitigation of dioxin ''hot spots'' in Vietnam; and

Whereas the United States Congress should reaffirm the nation's commitment to the well-being of all of its veterans and direct the United States Department of Veterans Affairs to administer the Agent Orange Act of 1991 under the presumption that herbicide exposure in the Republic of Vietnam included inland waterways, offshore waters, and airspace, encompassing the entire combat zone; and

Whereas S. 1602 was introduced in the United States Senate on October 29, 2013, by Senator Richard Blumenthal; and

Whereas S. 1602 would establish a national center for the diagnosis, treatment, and research of health conditions of descendants of veterans exposed to toxic substances during service in the armed forces of the United States, provide services to those descendants, and establish an advisory board on exposure to toxic substances: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the United States Congress to restore the presumption of a service connection for Agent Orange exposure to United States Veterans who served in the waters defined by the combat zone and in the airspace over the combat zone; and be it further

Resolved, That the Alaska State Legislature urges the United States Congress to pass S. 1602, the Toxic Exposure Research and Military Family Support Act of 2013, and to establish a national center for the diagnosis, treatment, and research of health conditions of descendants of veterans exposed to toxic substances.

Copies of this resolution shall be sent to the Honorable Barak 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 Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Bernie Sanders, Chair, U.S. Senate Committee on Veterans' Affairs; the Honorable Richard Burr, Ranking Member, U.S. Senate Committee on Veterans Affairs; the Honorable Eric K. Shinseki, United States Secretary of Veterans Affairs; 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–361. A joint resolution adopted by the Legislature of the State of Alaska condemning the actions of the Veterans Health Administration officials that prohibited religious holiday messages, music, and gifts from being conveyed to veterans at Veterans Health Administration facilities and requesting that the United States Secretary of Veterans Affairs ensure that the violations of veterans' rights described in this resolution do not occur again; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION 24

Whereas, in December 2013, federal Veterans Health Administration facilities in Texas, Georgia, Iowa, and Alabama violated the religious freedom rights of convalescing veterans in their care; and

Whereas a Veterans Health Administration hospital in Dallas, Texas, did not distribute to the veterans in its care holiday cards that used certain language, including ''Merry Christmas'' and ''God bless you''; and

Whereas a Veterans Health Administration hospital in Augusta, Georgia, denied Christmas carolers from the local high school the opportunity to sing in public areas of the hospital; and

Whereas two other Veterans Health Administration facilities in Iowa and Alabama prohibited the distribution of Christmas gifts and Christmas gift bags; and

Whereas a Veterans Health Administration official cited the policy of the Veterans Health Administration for the nondistribution of the holiday cards; and

Whereas the Veterans Health Administration official stated that, in order to respect veterans religious beliefs, all donated holiday cards are reviewed by a multidisciplinary team of staff led by the chaplaincy services to determine whether the cards are appropriate and can be freely distributed to patients; and

Whereas the Veterans Health Administration official stated that the process for reviewing holiday cards was not fully explained to the particular group involved and apologized for any misunderstanding; and

Whereas the officials at the Veterans Health Administration facilities described in this resolution ignored the policies established by the United States Secretary of Veterans Affairs regarding holiday practices at the facilities; and

Whereas those holiday cards, gifts, and presentations came from caring citizens, including young children, who took the time to recognize the heroic actions of men and women who have sacrificed so much in the service of their country in times of both peace and war; and

Whereas, although Christmas Day has origins in religious beliefs, it is recognized as a civic holiday for federal employees; and

Whereas the Veterans Health Administration violates the right to religious freedom of the veterans in its care by not allowing them to receive certain holiday cards and gifts and to attend certain presentations: Now, therefore, be it

Resolved, That the Alaska State Legislature condemns the actions of the Veterans Health Administration officials that prohibited religious holiday messages, music, and gifts from being conveyed to veterans at Veterans Health Administration facilities and respectfully requests that the United States Secretary of Veterans Affairs ensure that the violations of veterans' rights described in this resolution do not occur again; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the United States Secretary of Veterans Affairs reconsider the policies on holiday practices at Veterans Health Administration facilities and rewrite those policies so that the violations of veterans' rights described in this resolution do not occur again; and be it further

Resolved, That the Alaska State Legislature finds it very troubling that the established policies and procedures of the United States Secretary of Veterans Affairs on holiday practices at the Veterans Health Administration facilities are apparently being ignored and respectfully requests that the United States Secretary of Veterans Affairs review the present established policies on holiday practices at Veterans Health Administration facilities and train personnel on those policies so that the apparent violations of veterans' rights described in this resolution do not occur again; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the United States Secretary of Veterans Affairs provide each member of the Alaska State Legislature with a written assurance that the actions of the Veterans Health Administration officials described in this resolution do not reflect the policies on holiday practices at Veterans Health Administration facilities.

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 Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Bernie Sanders, Chair, U.S. Senate Committee on Veterans' Affairs; the Honorable Richard Burr, Ranking Member, U.S. Senate Committee on Veterans' Affairs; the Honorable Eric K. Shinseki, United States Secretary of Veterans Affairs; Verdie Bowen, Director, Office of Veterans Affairs, Alaska Department of Military and Veterans' Affairs; Susan Yeager, Director, Alaska VA Healthcare System; 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 all other members of the 113th United States Congress.

POM–362. A joint resolution adopted by the Legislature of the State of Alaska condemning the actions of the Veterans Health Administration officials that prohibited religious holiday messages, music, and gifts from being conveyed to veterans at Veterans Health Administration facilities and requesting that the United States Secretary of Veterans Affairs ensure that the violations of veterans rights described in this resolution do not occur again; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION 24

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Whereas a Veterans Health Administration hospital in Augusta, Georgia, denied Christmas carolers from the local high school the opportunity to sing in public areas of the hospital; and

Whereas two other Veterans Health Administration facilities in Iowa and Alabama prohibited the distribution of Christmas gifts and Christmas gift bags; and

Whereas a Veterans Health Administration official cited the policy of the Veterans Health Administration for the nondistribution of the holiday cards; and

Whereas the Veterans Health Administration official stated that, in order to respect veterans' religious beliefs, all donated holiday cards are reviewed by a multidisciplinary team of staff led by the chaplaincy services to determine whether the cards are appropriate and can be freely distributed to patients; and

Whereas the Veterans Health Administration official stated that the process for reviewing holiday cards was not fully explained to the particular group involved and apologized for any misunderstanding; and

Whereas the officials at the Veterans Health Administration facilities described in this resolution ignored the policies established by the United States Secretary of Veterans Affairs regarding holiday practices at the facilities; and

Whereas those holiday cards, gifts, and presentations came from caring citizens, including young children, who took the time to recognize the heroic actions of men and women who have sacrificed so much in the service of their country in times of both peace and war; and

Whereas, although Christmas Day has origins in religious beliefs, it is recognized as a civic holiday for federal employees; and

Whereas the Veterans Health Administration violates the right to religious freedom of the veterans in its care by not allowing them to receive certain holiday cards and gifts and to attend certain presentations: Now, therefore, be it

Resolved, That the Alaska State Legislature condemns the actions of the Veterans Health Administration officials that prohibited religious holiday messages, music, and gifts from being conveyed to veterans at Veterans Health Administration facilities and respectfully requests that the United States Secretary of Veterans Affairs ensure that the violations of veterans' rights described in this resolution do not occur again; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the United States Secretary of Veterans Affairs reconsider the policies on holiday practices at Veterans Health Administration facilities and rewrite those policies so that the violations of veterans' rights described in this resolution do not occur again; and be it further

Resolved, That the Alaska State Legislature finds it very troubling that the established policies and procedures of the United States Secretary of Veterans Affairs on holiday practices at the Veterans Health Administration facilities are apparently being ignored and respectfully requests that the United States Secretary of Veterans Affairs review the present established policies on holiday practices at Veterans Health Administration facilities and train personnel on those policies so that the apparent violations of veterans' rights described in this resolution do not occur again; and be it further

Resolved, That the Alaska State Legislature respectfully requests that the United States Secretary of Veterans Affairs provide each member of the Alaska State Legislature with a written assurance that the actions of the Veterans Health Administration officials described in this resolution do not reflect the policies on holiday practices at Veterans Health Administration facilities.

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 Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Bernie Sanders, Chair, U.S. Senate Committee on Veterans' Affairs; the Honorable Richard Burr, Ranking Member, U.S. Senate Committee on Veterans' Affairs; the Honorable Eric K. Shinseki, United States Secretary of Veterans Affairs; Verdie Bowen, Director, Office of Veterans Affairs, Alaska Department of Military and Veterans' Affairs; Susan Yeager, Director, Alaska VA Healthcare System; 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 all other members of the 113th United States Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

H.R. 1447. A bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1744. A bill to strengthen the accountability of individuals involved in misconduct affecting the integrity of background investigations, to update guidelines for security clearances, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

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

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on 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.

Jeanne E. Davidson, of Maryland, to be a Judge of the United States Court of International Trade.

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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. HEINRICH:

S. 2947. A bill to amend the Federal Power Act to clarify the authority of the Federal Energy Regulatory Commission to prescribe just, reasonable, and not unduly discriminatory or preferential terms, conditions, and compensation applicable to wholesale demand response resource participation in organized wholesale energy, capacity, and ancillary service markets; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 2948. A bill to extend the requirement that drug manufacturers that increase prices faster than inflation pay an additional rebate to State Medicaid programs to include manufacturers of generic drugs; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. NELSON, Mr. HELLER, Mrs. MCCASKILL, and Ms. KLOBUCHAR):

S. 2949. A bill to improve motor vehicle safety by encouraging the sharing of certain information; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN:

S. 2950. A bill to amend title 38, United States Code, to establish the Physician Ambassadors Helping Veterans program to seek to employ physicians at the Department of Veterans Affairs on a without compensation basis in practice areas and specialties with staffing shortages and long appointment waiting times; to the Committee on Veterans' Affairs.

By Mr. HELLER:

S. 2951. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs is informed of the interment of deceased veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY:

S. 2952. A bill to establish the Commission on Evidence-Based Policymaking, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself, Mr. GRASSLEY, Mr. ROBERTS, Mr. THUNE, and Mr. KIRK):

S. 2953. A bill to prohibit an alien who is a national of a country with a widespread Ebola virus outbreak from obtaining a visa and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 2954. A bill to improve the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. ALEXANDER, Ms. KLOBUCHAR, Mr. HARKIN, and Mr. FRANKEN):

S. 2955. A bill to revise the Inland Waterways Trust Fund financing rate; to the Committee on Finance.

By Mr. NELSON (for himself, Mr. DONNELLY, Ms. COLLINS, and Mr. BOOKER):

S. 2956. A bill to prevent caller ID spoofing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH:

S. 2957. A bill to limit the disturbance to American families caused by electioneering phone calls by expanding the National Do Not Call Registry to include Super PACs and other third-party political groups, to prohibit robo-calls to Americans who have listed their telephone numbers on the Registry,

and to prohibit push-polling; to the Committee on Commerce, Science, and Transportation.

By Mr. TOOMEY:

S. 2958. A bill to amend the Internal Revenue Code of 1986 to expand the employer wage credit for employees who are active duty members of the Uniformed Services; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. ROCKEFELLER, Mr. HARKIN, Mr. BROWN, Mr. MANCHIN, Mr. KAINE, and Mr. WARNER):

S. 2959. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to protect miners from pneumoconiosis (commonly known as ''black lung disease''), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. JOHNSON of South Dakota, Mr. UDALL of New Mexico, Mr. FRANKEN, and Ms. MURKOWSKI):

S. 2960. A bill to provide for rental assistance for homeless or at-risk Indian veterans; to the Committee on Indian Affairs.

By Mr. BEGICH:

S. 2961. A bill to establish the Office of Planning for Future Intercity Transportation within the Office of the Secretary of Transportation; to the Committee on Environment and Public Works.

By Mr. TOOMEY:

S. 2962. A bill to repeal the tax increase imposed by Obamacare on taxpayers who incur catastrophic medical expenses; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. BEGICH, Mr. NELSON, Mr. WHITEHOUSE, Ms. CANTWELL, Mrs. MURRAY, Mr. REED, Mr. MARKEY, Ms. WARREN, Mr. CARDIN, Mr. BOOKER, and Mr. MERKLEY):

S. 2963. A bill to remove a limitation on a prohibition relating to permits for discharges incidental to normal operation of vessels; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself, Mr. BENNET, Ms. CANTWELL, Mr. CASEY, Mr. CARDIN, Mr. MENENDEZ, Mr. ROCKEFELLER, Mr. SCHUMER, and Ms. STABENOW):

S. 2964. A bill to extend the trade adjustment assistance program, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 2965. A bill to provide that members of the Armed Forces performing hazardous humanitarian services in West Africa to combat the spread of the 2014 Ebola virus outbreak shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone; to the Committee on Finance.

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

S. 2966. A bill to improve the understanding and coordination of critical care health services; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ISAKSON (for himself and Ms. BALDWIN):

S. Res. 585. A resolution designating December 3, 2014, as ''National Phenylketonuria Awareness Day''; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. KIRK, Mr. DURBIN, Mr. CARDIN, Mr. RUBIO, Mr. MARKEY, Mrs. BOXER, Mr. BOOKER, Mr. COONS, and Mrs. SHAHEEN):

S. Res. 586. A resolution calling on the Government of Burma to develop a non-discriminatory and comprehensive solution that addresses Rakhine State's needs for peace, security, harmony, and development under equitable and just application of the rule of law, and for other purposes; to the Committee on Foreign Relations.

By Mr. KIRK (for himself and Mr. WARNER):

S. Res. 587. A resolution encouraging reunions of Korean-Americans who were divided by the Korean War from their relatives in North Korea; to the Committee on Foreign Relations.

By Mr. MORAN (for himself, Ms. KLOBUCHAR, Mr. HOEVEN, Mr. BOOZMAN, Mr. ENZI, Mr. GRASSLEY, Mr. THUNE, Mr. WICKER, Mr. CRAPO, Mr. HELLER, Mr. COCHRAN, Ms. HEITKAMP, Mr. TESTER, Ms. BALDWIN, Mr. JOHNSON of South Dakota, Mr. DONNELLY, Mr. DURBIN, Mr. FRANKEN, and Ms. HIRONO):

S. Res. 588. A resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States; considered and agreed to.

By Ms. WARREN (for herself and Mr. MARKEY):

S. Res. 589. A resolution honoring the life of Thomas M. Menino, Mayor of Boston, Massachusetts, from 1993 to 2014; considered and agreed to.

By Mr. TESTER (for himself, Mr. UDALL of New Mexico, Mr. WALSH, Mr. BEGICH, Mr. WYDEN, Mr. BARRASSO, Mr. THUNE, Ms. STABENOW, Mr. INHOFE, Ms. HEITKAMP, Mr. MARKEY, Mr. MORAN, Ms. BALDWIN, Mr. JOHNSON of South Dakota, Mr. SCHATZ, Mr. KAINE, Mr. CRAPO, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Mr. HELLER, Mr. MERKLEY, Ms. CANTWELL, Mr. COCHRAN, and Mr. REID):

S. Res. 590. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; considered and agreed to.

By Mr. REID (for Mrs. HAGAN (for herself, Mr. KIRK, Mrs. MURRAY, Mr. BROWN, Mr. JOHNSON of South Dakota, Ms. MIKULSKI, Ms. BALDWIN, Mr. DURBIN, Ms. WARREN, Mr. WYDEN, Mr. CARDIN, and Mr. LEVIN)):

S. Res. 591. A resolution supporting the goals and ideals of American Education Week; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 526

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 666

At the request of Mr. BLUMENTHAL, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 838

At the request of Mrs. MCCASKILL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 838, a bill to amend the Internal Revenue Code of 1986 to protect employees in the building and construction industry who are participants in multiemployer plans, and for other purposes.

S. 1011

At the request of Mr. JOHANNS, the names of the Senator from Texas (Mr. CORNYN), the Senator from Virginia (Mr. WARNER), the Senator from Idaho (Mr. RISCH) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1040

At the request of Mr. PORTMAN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Rhode Island (Mr. REED) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1040, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 1249

At the request of Mr. BLUMENTHAL, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1361

At the request of Mr. MURPHY, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1361, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1674

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1674, a bill to help establish, enhance, and increase access to early childhood parent education and family engagement programs, and for other purposes.

S. 1815

At the request of Mr. BEGICH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1815, a bill to amend the Public Health Service Act to include occupational therapists as behavioral and mental health professionals for purposes of the National Health Service Corps.

S. 2047

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2047, a bill to prohibit the marketing of electronic cigarettes to children, and for other purposes.

S. 2288

At the request of Mr. ROCKEFELLER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2288, a bill to amend the Internal Revenue Code of 1986 to expand existing tax credits to encourage the capture, utilization, and sequestration of carbon dioxide.

S. 2301

At the request of Mr. HATCH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2301, a bill to amend section 2259 of title 18, United States Code, and for other purposes.

S. 2348

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2348, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 2434

At the request of Mr. FRANKEN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2434, a bill to amend the Internal Revenue Code of 1986 to ensure that working families have access to affordable health insurance coverage.

S. 2520

At the request of Mr. LEAHY, the names of the Senator from Nebraska (Mr. JOHANNS), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2520, a bill to improve the Freedom of Information Act.

S. 2591

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2591, a bill to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

S. 2621

At the request of Mr. COCHRAN, his name was added as a cosponsor of S. 2621, a bill to amend the Migratory Bird Hunting and Conservation Stamp Act to increase the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes.

S. 2685

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2685, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 2732

At the request of Mr. DONNELLY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2732, a bill to increase from $10,000,000,000 to $50,000,000,000 the threshold figure at which regulated depository institutions are subject to direct examination and reporting requirements of the Bureau of Consumer Financial Protection, and for other purposes.

S. 2746

At the request of Mr. BROWN, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2746, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

At the request of Ms. AYOTTE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2746, supra.

S. 2828

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2828, a bill to impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2828, supra.

S. 2848

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2848, a bill to amend title 49, United States Code, with respect to apportionments under the Airport Improvement Program, and for other purposes.

S. 2874

At the request of Mr. CASEY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2874, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes.

S. 2920

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2920, a bill to deny Social Security benefits and other benefits to individuals who participated in Nazi persecution.

S. 2930

At the request of Mr. MCCAIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of 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.

S. 2943

At the request of Mr. RUBIO, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was withdrawn as a cosponsor of S. 2943, a bill to amend Public Law 110–299 to extend the time period during which permits are not required for certain discharges incidental to the normal operation of vessels.

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 2943, supra.

S. 2944

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Oregon (Mr. WYDEN), the Senator from Mississippi (Mr. WICKER), the Senator from Georgia (Mr. ISAKSON), the Senator from Iowa (Mr. GRASSLEY), the Senator from Indiana (Mr. COATS), the Senator from Florida (Mr. RUBIO), the Senator from Texas (Mr. CORNYN), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), the Senator from Wyoming (Mr. ENZI) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 2944, a bill to amend the Social Security Act to provide for the termination of social security benefits for individuals who participated in Nazi persecution, and for other purposes.

S. 2945

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2945, a bill to repeal section 910 of the Violence Against Women Reauthorization Act of 2013.

S. RES. 26

At the request of Ms. HIRONO, her name was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 565

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 565, a resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Canadian Government does not permanently store nuclear waste in the Great Lakes Basin.

S. RES. 580

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. Res. 580, a resolution expressing support for the goals of National Adoption

Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

S. RES. 583

At the request of Mr. ISAKSON, the names of the Senator from Delaware (Mr. COONS) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. Res. 583, a resolution designating November 30, 2014, as ''Drive Safer Sunday''.

AMENDMENT NO. 3749

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 3749 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3870

At the request of Mr. BROWN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 3870 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3947

At the request of Mr. WYDEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 3947 intended to be proposed to S. 2685, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 2954. A bill to improve the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I am proud to introduce my comprehensive proposal to reauthorize the Higher Education Act, the main law governing institutions of higher education in this country. My bill, the Higher Education Affordability Act, is the product of extensive conversations between both parties in Congress and stakeholders across the higher education community. Over the past year, our Senate Health, Education, Labor, and Pensions Committee has held 12 bipartisan hearings on reauthorizing the Higher Education Act on issues ranging from teacher preparation and accreditation to federal student loans and the States' role in higher education. These hearings were purposely designed to better inform members of Congress and the public on the most pressing issues in higher education and how best to address them at the federal level.

In June, I put forward a discussion draft that included many of the ideas and policies discussed in our hearings. I asked the entire higher education community—including institutions, accreditors, and student advocacy organizations—to weigh in and offer suggestions on how best to strengthen my initial proposal.

I am pleased to say they delivered abundantly on that request. We received comments from over 120 organizations from across the country. What I have put forward today is a direct result of our hearings and the feedback we received. This bill provides clear guidelines based on all the work we have done to date on how we should move forward with reauthorization in a way that puts students and families first. It takes a holistic approach in addressing the most urgent issues in higher education: increasing college affordability, helping struggling borrowers, strengthening accountability, and improving transparency throughout the higher education system.

On the matter of affordability, my bill includes a number of policies designed to reduce college costs for students on the front end. It proposes a new federal partnership with States to incentivize them to reinvest in their systems of higher education. For too long, States have been cutting funding for their institutions of higher education and passing those costs onto students and their families. This is a trend in cost-shifting that must stop. The bill also reinstates year-round Pell Grants to enable students to get their degrees faster and establishes a pilot program to reward institutions that do a good job of graduating low-income students. My bill also creates two grant programs to promote statewide and institutional innovation in higher education. Making sure college is affordable requires an all-hands-on-deck approach: the Federal government, states, students and their families all need to do their part.

We also hope to empower students and families through greater transparency by giving students and families better information on college costs and outcomes from the beginning of the college selection process and all the way through graduation. The bill promotes a seamless process from high school to post-graduation to ensure that students know exactly what they are getting into with regard to college quality and costs before they get started.

On the matter of student debt, my bill takes a range of steps to help student borrowers better manage their loans. It provides for better up-front and exit counseling for students regarding their federally guaranteed loans. It eliminates fees on federal loans to save students money. My bill also strengthens consumer protections for student loans, and it creates a safety net for borrowers who are seriously delinquent on their loans by automatically enrolling them in an income-based repayment plan with affordable monthly payments. To ensure that private student debt is treated no differently than any other consumer debt, my bill would allow private student loans to be discharged in bankruptcy, as they were before the law was changed in 2005.

My bill would hold schools more accountable to both students and taxpayers by ensuring that no Federal money goes to marketing and advertising instead of education. I am also introducing new metrics, including a repayment rate, by which to better measure schools' performance. The bill also changes the current ''90/10'' rule to ''85/15'' to ensure that for-profit schools are not wholly subsidized by the Federal government. For those bad actors making record-breaking profits through fraud and abuse of taxpayer dollars, my bill includes a number of provisions designed to penalize this behavior and to stop it.

Our country has reached a critical point in higher education. Beyond disagreements on specific policy issues, we must come together to decide whether higher education should be preserved, first and foremost, as a public good. Over the past two decades, rising college costs have been shifted unfairly onto the backs of students and families. The central question we must ask is whether this accelerating trend is the right direction for this country—whether paying for college should be the sole responsibility of students and families or our shared responsibility as a nation. My bill reflects the overall belief that all stakeholders—states, the Federal Government, students and families—should invest together in higher education to keep college affordable and accessible to all. Our country's economic future and the promise of equal opportunity depend upon this critical investment.

It is unacceptable to ask students and their families to shoulder the bulk of college costs. Historically, this has never been the case, and we should not allow this unfortunate trend to grow worse. My bill would get us back on the right track, ensuring that our higher education system is affordable, transparent, and ultimately accountable to our students and taxpayers. Higher education should serve as an equalizer of opportunity for all, and that is a promise that we must fulfill together.

By Mr. NELSON (for himself, Mr. DONNELLY, Ms. COLLINS, and Mr. BOOKER):

S. 2956. A bill to prevent caller ID spoofing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, in 2010 Congress passed, and the President signed into law, the Truth in Caller ID Act, which prohibits caller ID spoofing when it is used to defraud or harm Americans.

What is caller ID spoofing? It is a technique that allows a telephone caller to alter the phone number that appears on the recipient's Caller ID screen. In other words, spoofing allows someone to hide behind a misleading telephone number to try to scam consumers or trick law enforcement officers.

The Truth in Caller ID Act put in place tough new sanctions to crack down on phone scams, empowering States to help the Federal Government track down and punish these fraudsters.

Since then spoofing technology has evolved to give fraudsters new tools to pull the wool over our eyes. They take advantage of innovative text messaging services to trick unsuspecting Americans into sending money or providing sensitive personal information.

I believe our laws must evolve and adapt to the new tactics and technologies used by these criminals. That is why I am introducing the Phone Scam Prevention Act of 2014, to update the protections we put in place in 2010 and give consumers the tools they need to help them protect themselves.

The bill does 3 simple things.

First, it extends the current prohibition on Caller ID spoofing to calls coming from outside the United States and stops crooks from using text messaging services to scam consumers.

Second, it ensures consumers have access to what are known as ''whitelist services,'' where the technology exists. Whitelist services allow consumers to pick a list of approved phone numbers to ring through to their phone. All other numbers are automatically forwarded to voicemail or rerouted to a different number.

Calls from first responders, government agencies, and other important entities would still ring through to the consumer's phone.

Several phone companies currently offer whitelist services to their customers. It only makes sense to allow more Americans to have access to these valuable services so that they can help protect themselves from abusive phone calls.

Third, the bill directs the Federal Communications Commission, FCC, to develop Caller ID authentication standards within 5 years from the date of enactment to ensure Caller ID information is accurate, or at the very least warn consumers when such information cannot be verified.

An international group of telecom engineers, including specialists at the FCC, are currently working to develop such standards. The bill would merely accelerate the timeline for the standards to be finalized and move us to a more secure telephone system sooner.

When in place, Caller ID authentication will give consumers the information they need to judge the legitimacy of the call. Scammers will no longer be able to use spoofing technology to claim to be from the IRS, your bank, your utility company, or law enforcement and bilk you out of all your savings.

I invite my colleagues to join Senators COLLINS, DONNELLY, BOOKER, and me in support of the Phone Scam Prevention Act of 2014. Working together, I am hopeful that we can finally stop many of the fraudsters behinds these phone scams.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2956

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 ''Phone Scam Prevention Act of 2014''.

SEC. 2. AVAILABILITY OF WHITELIST SERVICES.

(a) IN GENERAL.—Part I of title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) is amended by adding at the end the following:

''SEC. 232. AVAILABILITY OF WHITELIST SERVICES.

''(a) DEFINITIONS.—In this section—

''(1) the term 'voice service' means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor plan adopted by the Commission under section 251(e)(1);

''(2) the term 'exempt entity' means—

''(A) the Federal Government, a State, a political subdivision of a State, or an agency thereof; and

''(B) any entity with respect to which the Commission determines that allowing calls that originate from that entity to connect directly with the voice service customer premises equipment (commonly referred to as 'CPE') of a subscriber would serve the public interest; and

''(3) the term 'whitelist' means a list of telephone numbers, designated by a subscriber, for which calls originating from those numbers to the subscriber are permitted to connect directly with the voice service CPE of the subscriber.

''(b) REQUIREMENT TO OFFER WHITELIST SERVICE.—A provider of a voice service shall offer each subscriber the option to designate a whitelist, if technically feasible (as determined by the Commission on a periodic basis).

''(c) TREATMENT OF NONAPPROVED TELEPHONE NUMBERS.—

''(1) IN GENERAL.—If a subscriber elects to designate a whitelist under subsection (b), the provider of the voice service of the subscriber shall ensure that any call the provider receives for termination that is not associated with a telephone number on the whitelist of the subscriber or the telephone number of an exempt entity is processed according to preferences set by the subscriber with respect to the whitelist, including by limiting or disabling the ability of an incoming call to connect with the CPE of the subscriber.

''(2) SAFE HARBOR.—Whitelist processing that, in accordance with the preferences of a subscriber, limits or disables connection with the CPE of a subscriber shall not be considered to be—

''(A) blocking traffic; or

''(B) an unjust or unreasonable practice under section 201 of the Communications Act of 1934 (47 U.S.C. 201).

''(d) NUMBER OF TELEPHONE NUMBERS ON WHITELIST FREE OF CHARGE.—

''(1) IN GENERAL.—A provider of a voice service shall allow a subscriber (or a designated representative thereof) to designate not less than 10 telephone numbers to be on the whitelist under subsection (b), free of charge.

''(2) TELEPHONE NUMBERS OF EXEMPT ENTITIES.—The telephone number of an exempt entity shall not be considered to be on the whitelist of a subscriber for purposes of calculating the 10 telephone numbers that may be designated under paragraph (1).''.

(b) EFFECTIVE DATE.—Section 232 of the Communications Act of 1934, as added by subsection (a), shall take effect on the date that is 2 years after the date of enactment of this Act.

SEC. 3. AUTHENTICATION OF CALL ORIGINATION.

Part I of title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), as amended by section 2, is amended by adding at the end the following:

''SEC. 233. AUTHENTICATION OF CALL ORIGINATION.

''(a) DEFINITION.—In this section, the term 'voice service' means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor plan adopted by the Commission under section 251(e)(1).

''(b) DEVELOPMENT OF AUTHENTICATION STANDARDS BY COMMISSION.—Not later than 5 years after the date of enactment of the Phone Scam Prevention Act of 2014, the Commission shall develop authentication standards for providers of a voice service to validate the calling party number and caller identification information of a call originated through a voice service so that the subscriber receiving the call may obtain—

''(1) a secure assurance of the origin of the call, including—

''(A) the calling party number; and

''(B) caller identification information for the call; or

''(2) notice that an assurance described in paragraph (1) is unavailable.

''(c) ADOPTION OF AUTHENTICATION STANDARDS BY ENTITIES.—Each provider of a voice service that is allocated telephone numbers from the portion of the North American Numbering Plan that pertains to the United States shall adopt the authentication standards developed under subsection (b).''.

SEC. 4. EXPANDING AND CLARIFYING PROHIBITION ON INACCURATE CALLER ID INFORMATION.

(a) COMMUNICATIONS FROM OUTSIDE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking ''in connection with any telecommunications service or IP-enabled voice service'' and inserting ''or any person outside the United States if the recipient of the call is within the United States, in connection with any voice service''.

(b) COVERAGE OF TEXT MESSAGES AND OTHER VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(1) in subparagraph (A), by striking ''telecommunications service or IP-enabled voice service'' and inserting ''voice service (including a text message sent using a text messaging service)'';

(2) in the first sentence of subparagraph (B), by striking ''telecommunications service or IP-enabled voice service'' and inserting ''voice service (including a text message sent using a text messaging service)'';

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

''(C) TEXT MESSAGE.—The term 'text message'—

''(i) means a real-time or near real-time message consisting of text, images, sounds, or other information that is transmitted from or received by a device that is identified as the transmitting or receiving device by means of a telephone number;

''(ii) includes a short message service (commonly referred to as 'SMS') message, an enhanced message service (commonly referred to as 'EMS') message, and a multimedia message service (commonly referred to as 'MMS') message; and

''(iii) does not include a real-time, 2-way voice or video communication.

''(D) TEXT MESSAGING SERVICE.—The term 'text messaging service' means a service that permits the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

''(E) VOICE SERVICE.—The term 'voice service' means any service that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor plan adopted by the Commission under section 251(e)(1).''.

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall be construed to modify, limit, or otherwise affect—

(1) the authority, as of the day before the date of enactment of this Act, of the Federal Communications Commission to interpret the term ''call'' to include a text message (as defined under section 227(e)(8)) of the Communications Act of 1934, as added by subsection (b)); or

(2) any rule or order adopted by the Federal Communications Commission in connection with—

(A) the Telephone Consumer Protection Act of 1991 (Public Law 102–243; 105 Stat. 2394) or the amendments made by that Act; or

(B) the CAN-SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

(d) REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Federal Communications Commission shall prescribe regulations to implement the amendments made by this section.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 6 months after the date on which the Federal Communications Commission prescribes regulations under subsection (d).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 585—DESIGNATING DECEMBER 3, 2014, AS ''NATIONAL PHENYLKETONURIA AWARENESS DAY''

Mr. ISAKSON (for himself and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 585

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine, and which causes intellectual disability and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas phenylketonuria is also referred to as ''PKU'' or Phenylalanine Hydroxylase Deficiency;

Whereas newborn screening for PKU was initiated in the United States in 1963 and was recommended for inclusion in State newborn screening programs under the Newborn Screening Saves Lives Act of 2007 (Public Law 110–204);

Whereas approximately 1 out of every 15,000 infants in the United States is born with PKU;

Whereas PKU is treated with medical food;

Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for PKU made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas the American College of Medical Genetics and Genomics and Genetic Metabolic Dieticians International published medical and dietary guidelines on the optimal treatment of PKU in 2014;

Whereas medical foods are medically necessary for children and adults living with PKU;

Whereas adults with PKU who discontinue treatment are at risk for serious medical issues such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with PKU must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with PKU may have a condition known as ''maternal phenylketonuria syndrome'', which can cause small brains, intellectual disabilities, birth defects of the heart, and low birth weights;

Whereas although there is no cure for PKU, treatment involving medical foods, medications, and restriction of phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas access to health insurance coverage for medical food varies across the United States, and the long-term costs associated with caring for untreated children and adults with PKU far exceed the cost of providing medical food treatment;

Whereas gaps in medical foods coverage has a detrimental impact on individuals with PKU, their families, and society;

Whereas scientists and researchers are hopeful that breakthroughs in PKU research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving PKU; and

Whereas the Senate is an institution that can raise awareness of PKU among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2014, as ''National Phenylketonuria Awareness Day'';

(2) encourages all people in the United States to become more informed about phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a nonprofit organization dedicated to improving the lives of individuals with phenylketonuria.

SENATE RESOLUTION 586—CALLING ON THE GOVERNMENT OF BURMA TO DEVELOP A NON-DISCRIMINATORY AND COMPREHENSIVE SOLUTION THAT ADDRESSES RAKHINE STATE'S NEEDS FOR PEACE, SECURITY, HARMONY, AND DEVELOPMENT UNDER EQUITABLE AND JUST APPLICATION OF THE RULE OF LAW, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. KIRK, Mr. DURBIN, Mr. CARDIN, Mr. RUBIO, Mr. MARKEY, Mrs. BOXER, Mr. BOOKER, Mr. COONS, and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 586

Whereas, of the 1,500,000 members of the Rohingya ethnic minority community worldwide, over 1,200,000 stateless Rohingya live in Burma, mostly in northern Rakhine State, including 140,000 internally displaced persons (IDPs);

Whereas the security, stability, and development of Rakhine State is dependent on the rule of law and non-discriminatory access to citizenship, livelihoods and services, and protection for all residents;

Whereas, on November 12, 2014, President Barack Obama traveled to Burma, where he ''stressed the need to find durable and effective solutions for the terrible violence in Rakhine state, solutions that end discrimination, provide greater security and economic opportunities, protect all citizens, and promote greater tolerance and understanding,'' while noting that legitimate government is a government based on ''the recognition that all people are equal under the law'';

Whereas the Department of State has, since 1999, regularly expressed its particular concern for severe legal, economic, and social discrimination against Burma's Rohingya population in its Country Report for Human Rights Practices;

Whereas the United Nations Special Rapporteur for Human Rights in Burma reported a ''long history of discrimination and persecution against the Rohingya Muslim community which could amount to crimes against humanity'';

Whereas the current Government of Burma, like its predecessors, continues to use the Burma Citizenship Law of 1982 to exclude Rohingya from a list of legally recognized ethnic groups, despite many having lived in Rakhine State for generations, thereby rendering Rohingya stateless and vulnerable to exploitation and abuse;

Whereas, in its March 2014 census, the first in over 30 years, the Government of Burma reneged on its commitment to allow all people in Burma to self-identify and ordered the Rohingya to ethnically identify as ''Bengali'', resulting in their exclusion from census data and thereby severely undermining the validity of the data for Rakhine State and creating the potential for further discrimination and conflict;

Whereas local and national policies and practices discriminate against Rohingya by denying them freedom of movement outside their villages and camps, restricting access to livelihood, education, and health care;

Whereas authorities have required Rohingya to obtain official permission for marriages, with reportedly onerous, humiliating, and financially prohibitive requirements for approval;

Whereas a two-child policy sanctioned solely upon the Rohingya population in two

townships in northern Rakhine State hinders the ability of additional children to access basic government services, marry, or acquire property and restricts the rights of women, sometimes resulting in serious health consequences due to illegal and unsafe abortions;

Whereas persecution, including arbitrary arrest, detention, and extortion of Rohingya and other Muslim communities, continues to be widespread;

Whereas violence targeting Rohingya in Maungdaw, Buthidaung, and Sittwe in June and July 2012 resulted in the deaths of at least 57 Muslims and the destruction of 1,336 Rohingya homes and left thousands displaced;

Whereas, between October 21–30, 2012, numerous people were killed, and a village in Mrauk-U township was destroyed during deadly ethnic violence between the Rakhine and Rohingya communities;

Whereas the lack of a credible independent investigation has resulted in persistent questions about violence that may have resulted in the death of Rohingya in a village in Maungdaw township in January 2014, and human rights groups reported mass arrests and arbitrary detention of Rohingya in the aftermath of this violence;

Whereas local, state, and national security police and border officers have failed to protect those vulnerable to attack and, in some cases, participated in violence against Rohingya and other Muslims;

Whereas the Government of Burma has relocated displaced Rohingya into displacement camps where they have limited access to adequate shelter, clean water, food, sanitation, health care, livelihoods, or basic education for their children;

Whereas thousands of Rohingya are entirely reliant on international assistance for food, clean water, and health care because they are not permitted to move for work and therefore cannot provide for their families;

Whereas, in February 2014, the Government of Burma suspended the activities of Nobel Laureate Médecins Sans Frontières, the primary provider of healthcare to hundreds of thousands in Rakhine State;

Whereas the Government of Burma entered into a Memorandum of Agreement with the Médecins Sans Frontières in September 2014 but all services have not resumed;

Whereas attacks on organizations and their property in Sittwe, the capital of Rakhine State, in March 2014 caused over 300 international aid workers to evacuate the area, and while many of these aid workers have now returned, they have not yet been able to resume full operations, leaving many more people vulnerable, particularly in the area of health care;

Whereas the denial of unhindered humanitarian assistance when populations are in need of such services is a severe breach of a government's responsibility to protect and support its residents and suggests disregard for individuals who suffer the effects of disease and malnourishment as a result of a lack of assistance;

Whereas hundreds of thousands of Rohingya have fled to neighboring countries, including 34,000 that have registered in official camps in Bangladesh, plus another 300,000 to 500,000 that are unregistered in Bangladesh, and at least 35,000 in Malaysia, plus many thousands more in Thailand and Indonesia;

Whereas, according to the United Nations High Commissioner for Refugees, approximately 100,000 Rohingya have fled from Rakhine State, and up to 2,000 Rohingya who fled Burma by boat are presumed dead or are missing at sea since 2012;

Whereas up to 200,000 Rohingya, who fled persecution from Burma up to 20 years ago and sought refugee protection in Bangladesh, continue to face discrimination, statelessness, and other hurdles to accessing necessary services in their country of refuge;

Whereas, according to the Department of State's 2014 Trafficking in Persons Report, the Rohingya community in Bangladesh is especially vulnerable to human trafficking, and unregistered Rohingya who were trafficking victims may have been detained indefinitely in Bangladesh due to lack of documentation;

Whereas the Government of Bangladesh has banned marriage registrars from officiating marriages involving Rohingyas attempting to wed one another and those seeking unions with Bangladeshi nationals; and

Whereas, in Thailand, according to the United States Department of State's 2014 Trafficking in Persons Report, corrupt civilian and military officials are alleged to have profited from the smuggling of Rohingya asylum seekers from Burma and Bangladesh and allegedly have been complicit in their sale into forced labor on commercial fishing vessels: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Burma to develop a non-discriminatory and comprehensive solution that addresses Rakhine State's needs for peace, security, harmony, and development under equitable and just application of the rule of law;

(2) welcomes the Government of Burma's announcement that Médecins Sans Frontières has been invited back to work in Rakhine State and encourages the Government of Burma to ensure that the organization is able to resume operations alongside other humanitarian organizations without undue restrictions on their humanitarian operations;

(3) calls on the Government of Burma to end all forms of persecution and discrimination, including freedom of movement restrictions, of the Rohingya people and ensure respect for internationally recognized human rights for all ethnic and religious minority groups within Burma;

(4) calls on the Government of Burma to respect the Rohingya's right to self-identification, redraft the Citizenship Law of 1982 so that it conforms to internationally recognized legal standards, and include both Rakhine and Rohingya leaders and community members in the redrafting process;

(5) calls on the Government of Burma to support an international and independent investigation into the violence that has occurred in Rakhine State since June 2012, implement the recommendations put forth, and prosecute the perpetrators of violence consistent with due process;

(6) calls on the Government of Burma to conform to international norms on the provision of unrestricted humanitarian access by international organizations to all in need, without discrimination based on nationality, race, ethnicity, gender, religious belief, or political opinion;

(7) calls on the regional governments to protect the rights of Rohingya asylum seekers and refugees, as well as respect the international legal principle of non-refoulement; and

(8) calls on the United States Government and the international community to call on the Government of Burma to take all necessary measures to end the persecution and discrimination of the Rohingya population and to protect the fundamental rights of all ethnic and religious minority groups in Burma.

SENATE RESOLUTION 587—ENCOURAGING REUNIONS OF KOREAN-AMERICANS WHO WERE DIVIDED BY THE KOREAN WAR FROM THEIR RELATIVES IN NORTH KOREA

Mr. KIRK (for himself and Mr. WARNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 587

Whereas the division of the Korean Peninsula into the Republic of Korea (referred to in this Resolution as ''South Korea'') and the Democratic People's Republic of Korea (referred to in this Resolution as ''North Korea'') separated more than 10,000,000 Koreans from their family members;

Whereas since the signing of the Korean War armistice agreement on July 27, 1953, there has been little to no contact between Korean Americans and their family members who remain in North Korea;

Whereas North and South Korea first agreed to divided family reunions in 1985 and have since held 19 face-to-face reunions and 7 video-link reunions;

Whereas the aforementioned reunions have subsequently given approximately 22,000 Koreans the opportunity to briefly reunite with their loved ones;

Whereas the most recent family reunions between North Korea and South Korea took place in February 2014 after a suspension of more than 3 years;

Whereas the United States and North Korea do not maintain diplomatic relations, and certain limitations exist for Korean Americans to participate in inter-Korean family reunions;

Whereas more than 1,700,000 Americans are of Korean descent;

Whereas the number of first generation Korean and Korean American divided family members is rapidly diminishing given their advanced age;

Whereas many Korean Americans with family members in North Korea have not seen or communicated with their relatives in more than 60 years;

Whereas Korean Americans and North Koreans both continue to suffer from the tragedy of being divided from their loved ones;

Whereas the inclusion of Korean American families in the reunion process would constitute a positive humanitarian gesture by North Korea and contribute to the long-term goal of peace on the Korean Peninsula shared by the Governments of North Korea, of South Korea, and of the United States;

Whereas the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) requires the President to submit a report to Congress every 180 days on ''efforts, if any, of the United States Government to facilitate family reunions between United States citizens and their relatives in North Korea'';

Whereas in the Continuing Appropriations Act of 2011 (Public Law 111–242), Congress urged ''the Special Representative on North Korea Policy, as the senior official handling North Korea issues, to prioritize the issues involving Korean divided families and, if necessary, to appoint a coordinator for such families'':

Now, therefore, be it

Resolved, That the Senate:

(1) recognizes the significance of North Korea's past willingness to resume reunions of divided family members between North Korea and South Korea;

(2) acknowledges North Korea's release in November 2014 of incarcerated American citizens Kenneth Bae and Matthew Miller;

(3) encourages North Korea to permit reunions between Korean Americans and their relatives still living in North Korea;

(4) calls on the Department of State to further prioritize efforts to reunite Korean Americans with their divided family members;

(5) acknowledges the efforts of the American Red Cross to open channels of communication between Korean Americans and their family members who remain in North Korea;

(6) encourages the Government of South Korea to include United States citizens in future family reunions planned with North Korea; and

(7) praises humanitarian efforts to reunite all individuals of Korean descent with their relatives and engender a lasting peace on the Korean Peninsula.

SENATE RESOLUTION 588—RECOGNIZING THAT ACCESS TO HOSPITALS AND OTHER HEALTH CARE PROVIDERS FOR PATIENTS IN RURAL AREAS OF THE UNITED STATES IS ESSENTIAL TO THE SURVIVAL AND SUCCESS OF COMMUNITIES IN THE UNITED STATES

Mr. MORAN (for himself, Ms. KLOBUCHAR, Mr. HOEVEN, Mr. BOOZMAN, Mr. ENZI, Mr. GRASSLEY, Mr. THUNE, Mr. WICKER, Mr. CRAPO, Mr. HELLER, Mr. COCHRAN, Ms. HEITKAMP, Mr. TESTER, Ms. BALDWIN, Mr. JOHNSON of South Dakota, Mr. DONNELLY, Mr. DURBIN, Mr. FRANKEN, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 588

Whereas access to quality health care services determines whether individuals in the United States can remain in the communities they call home and whether their children will return to those communities to raise families of their own;

Whereas more than 60,000,000 individuals in rural areas of the United States rely on rural hospitals and other providers as critical access points to health care;

Whereas rural areas of the United States need quality health care services to attract and retain business and industry;

Whereas, to ensure that communities in the United States survive and flourish, Congress must address the unique health care needs of individuals in rural areas of the United States;

Whereas individuals in rural areas of the United States are, per capita, older, poorer, and sicker than individuals in urban areas of the United States;

Whereas, according to the Department of Health and Human Services, ''rural areas have higher rates of poverty, chronic disease, and uninsurance, and millions of rural Americans have limited access to a primary care provider'';

Whereas, according to the Department of Agriculture, individuals in rural areas of the United States have higher rates of age-adjusted mortality, disability, and chronic disease than individuals in urban areas of the United States;

Whereas the 20 percent of the population of the United States that lives in rural areas is scattered over 90 percent of the landmass of the United States;

Whereas the geography and weather of rural areas of the United States can make accessing health care difficult, and cultural, social, and language barriers compound rural health challenges;

Whereas individuals in rural areas of the United States are more likely to be uninsured and less likely to receive coverage through an employer than individuals in urban areas of the United States;

Whereas access to health care continues to be a major challenge in rural areas of the United States, as—

(1) 77 percent of the 2,050 rural counties in the United States are designated as primary care Health Professional Shortage Areas (commonly referred to as ''HPSAs'');

(2) rural areas of the United States have fewer than half as many primary care physicians per 100,000 people as urban areas of the United States; and

(3) more than 50 percent of patients in rural areas of the United States travel at least 20 miles to receive specialty medical care, compared to only 6 percent of patients in urban areas of the United States;

Whereas, because rural hospitals and other providers face unique challenges in administering care to patients, Congress has traditionally supported those providers by implementing—

(1) specific programs to address rural hospital closures that occurred in the 1980s by providing financial support to hospitals that are geographically isolated and in which Medicare patients make up a significant percentage of hospital inpatient days or discharges; and

(2) a program established in 1997 to support limited-service hospitals that, being located in rural areas of the United States that cannot support a full-service hospital, are critical access points to health care for rural patients;

Whereas hospitals in rural areas of the United States achieve high levels of performance, according to standards for quality, patient satisfaction, and operational efficiency, for the types of care most relevant to rural communities;

Whereas, in addition to the vital care that rural health care providers provide to patients, rural health care providers are critical to the local economies of their communities and are one of the largest types of employers in rural areas of the United States where, on average, 14 percent of total employment is attributed to the health sector;

Whereas a hospital in a rural area of the United States is typically one of the top 2 largest employers in that area;

Whereas 1 primary care physician in a rural community annually generates approximately $1,500,000 in total revenue, and 1 general surgeon in a rural community annually generates approximately $2,700,000 in total revenue;

Whereas the average Critical Access Hospital, a limited-service rural health care facility, creates 107 jobs and generates $4,800,000 in annual payroll, and the wages, salaries, and benefits provided by a Critical Access Hospital can amount to 20 percent of the output of a rural community's economy;

Whereas hospitals in rural communities play a vital role in caring for the residents of those communities and preserving the special way of life that communities in the United States foster; and

Whereas the closure of a hospital in a rural community often results in severe economic decline in the community and the departure of physicians, nurses, pharmacists, and other health providers from the community, and forces patients to travel long distances for care or to delay receiving care, leading to decreased health outcomes, higher costs, and added burden to patients: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States;

(2) recognizes that preserving and strengthening access to quality health care in rural areas of the United States is crucial to the success and prosperity of the United States;

(3) recognizes that strengthening access to hospitals and other health care providers for patients in rural areas of the United States makes Medicare more cost-effective and improves health outcomes for patients;

(4) recognizes that, in addition to the vital care that rural health care providers provide to patients, rural health care providers are integral to the local economies and are one of the largest types of employers in rural areas of the United States; and

(5) celebrates the many dedicated medical professionals across the United States who work hard each day to deliver quality care to the nearly 1 in 5 people in the United States living in rural areas, because the dedication and professionalism of those medical professionals preserves the special way of life and sense of community enjoyed and cherished by individuals in rural areas of the United States.

SENATE RESOLUTION 589—HONORING THE LIFE OF THOMAS M. MENINO, MAYOR OF BOSTON, MASSACHUSETTS, FROM 1993 TO 2014

Ms. WARREN (for herself and Mr. MARKEY) submitted the following resolution; which was considered and agreed to:

S. RES. 589

Whereas Thomas Menino was born on December 27, 1942, in Readville, in the Hyde Park neighborhood of Boston where he lived his entire life;

Whereas Thomas Menino was a devoted husband, a loving father, and an adoring grandfather;

Whereas Thomas Menino was elected to the Boston City Council in 1983 to represent District 5, including the Hyde Park neighborhood where he lived;

Whereas Thomas Menino served as City Council president and became acting mayor of Boston in July 1993;

Whereas Thomas Menino was elected as the 53rd Mayor of Boston in November 1993, the first Italian-American mayor of the city of Boston;

Whereas Mayor Menino subsequently was elected to 4 additional terms, serving an unprecedented 20 years as Mayor of Boston;

Whereas Mayor Menino took pride in being known as the ''Urban Mechanic'', focusing on the nuts and bolts issues that kept the city moving forward, from fixing potholes to cleaning up public parks;

Whereas Mayor Menino oversaw a period of growth and urban renewal in Boston, and worked to make Boston a city of safe, livable neighborhoods;

Whereas Mayor Menino led the resurgence of neighborhoods in Boston, from the waterfront and the innovation district of the waterfront to Dudley Square in Roxbury, creating a city with unbounded innovative potential;

Whereas Mayor Menino committed himself to being the ''Education Mayor'', using his political will and courage to improve education for all the children in the city;

Whereas Mayor Menino was a powerful advocate for research institutions in Boston, including the world-class hospitals and universities in the city;

Whereas Mayor Menino stood firmly for full equality for every person in every community in Boston, and focused on building an open, accepting, and inclusive city;

Whereas Mayor Menino was a constant presence at public events throughout Boston, greeting residents at countless ribbon cuttings, potluck dinners, and school plays;

Whereas more than half of city residents said they had personally met the Mayor and thousands said the Mayor had personally touched their lives;

Whereas Mayor Menino led Boston with resolve during times of both triumph and crisis, guiding the city following the terrorist attack at the 2013 Boston Marathon and demonstrating what it means to be ''Boston Strong''; and

Whereas Mayor Menino was one of the great leaders in the almost 400-year history of Boston, who transformed the city into a modern-day City on a Hill that is a model for the United States and the world: Now, therefore, be it

Resolved, That the Senate—

(1) honors the lifetime of service by Mayor Menino to the City of Boston and residents of the city;

(2) affirms the lasting contributions by Mayor Menino to the City of Boston and to the United States; and

(3) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to the family of Mayor Thomas Menino.

SENATE RESOLUTION 590—RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH AND CELEBRATING THE HERITAGES AND CULTURES OF NATIVE AMERICANS AND THE CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES

Mr. TESTER (for himself, Mr. UDALL of New Mexico, Mr. WALSH, Mr. BEGICH, Mr. WYDEN, Mr. BARRASSO, Mr. THUNE, Ms. STABENOW, Mr. INHOFE, Ms. HEITKAMP, Mr. MARKEY, Mr. MORAN, Ms. BALDWIN, Mr. JOHNSON of South Dakota, Mr. SCHATZ, Mr. KAINE, Mr. CRAPO, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. FRANKEN, Mr. HEINRICH, Ms. HIRONO, Mr. HELLER, Mr. MERKLEY, Ms. CANTWELL, Mr. COCHRAN, and Mr. REID of Nevada) submitted the following resolution; which was considered and agreed to:

S. RES. 590

Whereas from November 1, 2014, through November 30, 2014, the United States celebrates National Native American Heritage Month;

Whereas Native Americans are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas the Bureau of the Census estimated in 2010 that there were more than 5,000,000 individuals in the United States of Native American descent;

Whereas Native Americans maintain vibrant cultures and traditions and hold a deeply rooted sense of community;

Whereas Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations;

Whereas Native Americans speak and preserve indigenous languages, which have contributed to the English language by being used as names of individuals and locations throughout the United States;

Whereas Congress has consistently reaffirmed the support of the United States of tribal self-governance and self-determination and the commitment of the United States to improving the lives of all Native Americans by—

(1) enhancing health care and law enforcement resources;

(2) improving the housing and socioeconomic status of Native Americans; and

(3) approving settlements of litigation involving Indian tribes and the United States;

Whereas the United States is committed to strengthening the government-to-government relationship that it has maintained with the various Indian tribes;

Whereas Congress has recognized the contributions of the Iroquois Confederacy, and the influence of the Confederacy on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of—

(1) freedom of speech;

(2) the separation of governmental powers; and

(3) the system of checks and balances between the branches of government;

Whereas with the enactment of the Native American Heritage Day Act of 2009 (Public Law 111–33; 123 Stat. 1922), Congress—

(1) reaffirmed the government-to-government relationship between the United States and Native American governments; and

(2) recognized the important contributions of Native Americans to the culture of the United States;

Whereas Native Americans have made distinct and important contributions to the United States and the rest of the world in many fields, including the fields of agriculture, medicine, music, language, and art, and Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

Whereas Native Americans have served with honor and distinction in the Armed Forces, and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas the United States has recognized the contribution of the Native American code talkers in World War I and World War II, who used indigenous languages as an unbreakable military code, saving countless lives in the United States; and

Whereas the people of the United States have reason to honor the great achievements and contributions of Native Americans and their ancestors: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of November 2014 as National Native American Heritage Month;

(2) recognizes the Friday after Thanksgiving as ''Native American Heritage Day'' in accordance with the Native American Heritage Day Act of 2009 (Public Law 111–33; 123 Stat. 1922); and

(3) urges the people of the United States to observe National Native American Heritage Month and Native American Heritage Day with appropriate programs and activities.

SENATE RESOLUTION 591—SUPPORTING THE GOALS AND IDEALS OF AMERICAN EDUCATION WEEK

Mr. REID of Nevada (for Mrs. HAGAN (for herself, Mr. KIRK, Mrs. MURRAY, Mr. BROWN, Mr. JOHNSON of South Dakota, Ms. MIKULSKI, Ms. BALDWIN, Mr. DURBIN, Ms. WARREN, Mr. WYDEN, Mr. CARDIN, and Mr. LEVIN)) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 591

Whereas November 16 through November 22, 2014, marks the 93rd annual observance of ''American Education Week'';

Whereas public schools are the backbone of democracy in the United States, providing young people with the tools necessary to maintain the values of freedom, civility, and equality that are precious to the United States;

Whereas by equipping young people in the United States with both practical skills and broader intellectual abilities, public schools give them hope for, and access to, a productive future;

Whereas people working in the field of public education, whether teachers, higher education faculty and staff, paraeducators, custodians, substitute educators, bus drivers, clerical workers, food service professionals, workers in skilled trades, health and student service workers, security guards, technical employees, or librarians, work tirelessly to serve children and communities throughout the United States with care and professionalism; and

Whereas public schools are community linchpins, bringing together adults, children, educators, volunteers, business leaders, and elected officials in a common enterprise: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of American Education Week; and

(2) encourages the people of the United States to observe American Education Week by reflecting on the positive impact of all individuals who work together to educate children.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3950. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3951. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3952. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3953. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3954. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3955. Mr. REID (for Ms. LANDRIEU) submitted an amendment intended to be proposed by Mr. Reid, of NV to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3956. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3957. Mr. REID (for Mr. HARKIN) proposed an amendment to the bill H.R. 669, to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

SA 3958. Mr. REID (for Mr. HARKIN) proposed an amendment to the bill H.R. 669, supra.

TEXT OF AMENDMENTS

SA 3950. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1069. REPORTS ON IMPLEMENTATION OF NATIONAL RESEARCH COUNCIL STUDY ON SPECIALIZED DEGREE-GRANTING GRADUATE PROGRAMS.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall each submit to the appropriate committees of Congress a report on the implementation by such Secretary of the recommendations in the report of the National Research Council of the National Academy of Sciences entitled ''Review of Specialized Degree-Granting Graduate Programs of the Department of Defense in STEM and Management''.

(b) MATTERS RELATING TO AIR FORCE REPORT.—

(1) CONSULTATION.—In preparing the report required by subsection (a), the Secretary of the Air Force shall consult with the AFIT Foundation.

(2) CERTAIN ELEMENTS.—The report of the Secretary of the Air Force under subsection (a) addressing recommendation 3-2 in the report of the National Research Council described in that subsection, regarding the chain of command of the Air Force Institute of Technology, shall include the following:

(A) Options for alternative chains of command for the Air Force Institute of Technology, and an identification of the preferred alternative among such options.

(B) An assessment of the effect of the chain of command, as recommended in such recommendation 3-2, on the ability of the Air Force Institute of Technology to support Air Force space, cyberspace, intelligence, and global strike missions, and the nuclear enterprise.

(C) A description of milestones and timetables for implementation of such recommendation 3-2.

(D) An assessment of the effects of implementation of such recommendation 3-2 on the military and civilian workforces of the Air Force.

(E) Such recommendations for legislative action with respect to implementation of such recommendation 3-2 as the Secretary considers appropriate.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

SA 3951. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1105. TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DEPARTMENT OF DEFENSE RESEARCH AND ENGINEERING FACILITIES.

Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 887; 10 U.S.C. 2358 note) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(3) STUDENTS ENROLLED IN SCIENTIFIC AND ENGINEERING PROGRAMS.—The director of any STRL may appoint qualified candidates enrolled in a program of undergraduate or graduate instruction leading to a bachelor's or advanced degree in a scientific, technical, engineering, or mathematical course of study at an institution of higher education (as that term is defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) to positions described in paragraph (3) of subsection (b) as an employee in a laboratory described in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title).'';

(2) in subsection (b), by adding at the end the following new paragraph:

''(3) CANDIDATES ENROLLED IN SCIENTIFIC AND ENGINEERING PROGRAMS.—The positions described in this paragraph are scientific and engineering positions that may be temporary or term in any laboratory designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 as a Department of Defense science and technology reinvention laboratory.''; and

(3) in subsection (c), by adding at the end the following new paragraph:

''(3) In the case of a laboratory described in subsection (b)(3), with respect to appointment authority under subsection (a)(3), the number equal to 3 percent of the total number of scientific and engineering positions in such laboratory that are filled as of the close of the fiscal year last ending before the start of such calendar year.''.

SA 3952. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1069. REPORT ON REINVESTMENT OF OPERATIONAL COSTS OF THE JOINT SYSTEMS MANUFACTURING CENTER.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the analysis, plans, and recommendations of the Army on means by which the operational costs associated with the Joint Systems Manufacturing Center could be equitably applied for long-term sustainability of that facility. The report may include such recommendations for legislative or administrative action as the Secretary considers appropriate to implement any plans and recommendations set forth in the report.

SA 3953. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1047. LIMITATION ON DEACTIVATION OR RELOCATION OF MOBILIZATION-DEMOBILIZATION MISSION AT JOINT BASE MCGUIRE-DIX-LAKEHURST, NEW JERSEY.

The Secretary of the Army may not deactivate the mobilization-demobilization mission at Joint Base McGuire-Dix-Lakehurst, New Jersey, or relocate such mission to another installation, until 30 days after the date on which the Secretary submits to the congressional defense committees a report setting forth a justification for the deactivation or relocation of such mission, including an assessment of any costs to be incurred, and cost-savings to be achieved, as a result of the deactivation or relocation of such mission.

SA 3954. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. ____. PROGRAM TO SUPPORT ESTABLISHMENT OF INSTITUTES FOR MANUFACTURING INNOVATION.

(a) ESTABLISHMENT OF PROGRAM.—

(1) AUTHORITY.—The Secretary of Defense may establish a program (referred to in this section as the ''Program'') for the purposes set forth in paragraph (2).

(2) PURPOSES OF PROGRAM.—The purposes of the Program are as follows:

(A) To improve measurably the ability of the United States manufacturing sector and to support military requirements and missions.

(B) To help the United States meet national security needs by minimizing the risk of dependence on foreign sources for critical components.

(C) To stimulate United States leadership in advanced manufacturing research, innovation, and technology that has a strong potential to generate substantial benefits to the United States.

(D) To facilitate the transition of innovative and transformative technologies into scalable, cost-effective, and high-performing manufacturing capabilities.

(E) To facilitate access by manufacturing enterprises to capital-intensive infrastructure, including high-performance computing, in order to improve the speed with which such enterprises commercialize new processes and technologies.

(F) To facilitate the execution of—

(i) joint research and development projects between industry partners; and

(ii) cost-shared research projects between the public and private sector.

(G) To accelerate measurably the development of a skilled defense advanced manufacturing workforce.

(H) To facilitate peer exchange of and the documentation of best practices in addressing advanced manufacturing challenges.

(I) To leverage non-Federal sources of support to promote a stable and sustainable business model without the need for long-term Federal funding.

(3) SUPPORT.—If the Secretary establishes the Program, the Secretary shall carry out the purposes set forth in paragraph (2) by supporting the establishment of one or more institutes for manufacturing innovation.

(4) METRICS.—If the Secretary establishes the Program, the Secretary shall—

(A) develop metrics for each institute for manufacturing innovation supported under the Program to measure achievement of the purposes of the Program; and

(B) implement procedures for evaluation of such institutes based on such metrics.

(b) INSTITUTES FOR MANUFACTURING INNOVATION.—

(1) IN GENERAL.—For purposes of this section, an ''institute for manufacturing innovation'' is an institute that—

(A) has been established by a person or group of persons to address defense challenges in advanced manufacturing and to assist manufacturers in retaining or expanding industrial production of defense systems in the United States;

(B) has a predominant focus on research and development of manufacturing processes, novel materials, enabling technologies, supply chain integration practices, or such other aspects of advanced manufacturing as the Secretary considers relevant, with the potential—

(i) to ensure domestic sources for critical defense materiel;

(ii) to create or maintain a technical military advantage;

(iii) to improve the competitiveness of United States manufacturing, in support of enhancing the affordability of defense systems;

(iv) to accelerate non-Federal investment in advanced defense manufacturing production capacity in the United States;

(v) to increase measurably the non-Federal investment in advanced manufacturing research; and

(vi) to enable the commercial application of new technologies or industry-wide manufacturing processes so as to improve the affordability of defense systems; and

(C) includes active participation among representatives from multiple industrial entities, research universities, community colleges, and such other entities as the Secretary considers appropriate, which may include industry-led consortia, career and technical education schools, Federal laboratories, State, local, and tribal governments, businesses, educational institutions, and nonprofit organizations.

(2) ACTIVITIES.—Activities of an institute for manufacturing innovation may include the following:

(A) Research, development, and demonstration projects, including proof-of-concept development and prototyping, to reduce the cost, time, and risk of commercializing new technologies and improvements in existing technologies, processes, products, and research and development of materials to solve pre-competitive industrial problems with economic or national security implications.

(B) Development and implementation of education and training courses, materials, and programs.

(C) Development of workforce recruitment, training, retention, and exchange programs and initiatives.

(D) Development of innovative methodologies and practices for supply chain integration and introduction of new technologies into supply chains.

(E) Development or updating of industry-led, shared-vision technology roadmaps for the development of technologies underpinning next-generation or transformational innovations, developed in coordination with government organizations.

(F) Outreach and engagement with small- and medium-sized manufacturing enterprises, in addition to large manufacturing enterprises.

(G) Coordinate with the Defense Production Act Committee on defense industrial base matters.

(H) Such other activities as the Secretary, in consultation with Federal departments and agencies whose missions contribute to or are affected by advanced manufacturing, considers consistent with the purposes described in subsection (a)(2).

(c) FUNDING FOR INSTITUTES FOR MANUFACTURING INNOVATION.—

(1) IN GENERAL.—In carrying out the Program, the Secretary of Defense may provide funding for planning, establishing, or supporting an institute for manufacturing innovation.

(2) SELECTION.—

(A) COMPETITIVE, MERIT REVIEW.—In awarding funding under paragraph (1), the Secretary shall use appropriate, competitive, merit review.

(B) COLLABORATION.—In awarding funding under paragraph (1), the Secretary shall collaborate with Federal departments and agencies whose missions contribute to or are affected by advanced manufacturing.

(C) CONSIDERATIONS.—In awarding funding to plan, establish, or support an institute for manufacturing innovation, the Secretary shall consider, at a minimum, the following:

(i) The potential of the institute for manufacturing innovation to advance domestic defense manufacturing and the likelihood of military impact in the predominant focus areas of the institute for manufacturing innovation.

(ii) The commitment of continued financial support, advice, participation, and other contributions from non-Federal sources, to provide leverage and resources to promote a stable and sustainable business model without the need for long-term Federal funding.

(iii) Whether the financial support provided to the institute from non-Federal sources significantly outweighs the requested Federal funding.

(iv) How the institute will support core Department of Defense missions and address key technology priorities.

(v) How the institute will increase the non-Federal investment in advanced defense manufacturing research in the United States.

(vi) How the institute will engage with small- and medium-sized manufacturing enterprises, to improve the capacity of such enterprises to commercialize new processes and technologies.

(vii) How the institute will carry out educational and workforce activities that meet industrial needs related to the predominant focus areas of the institute for manufacturing innovation, including activities focused on veterans and military dependents.

(viii) How the institute will advance economic competitiveness both globally and domestically and generate substantial benefits to the United States that extend beyond the direct return to participants in the Program.

(ix) Whether the predominant focus of the institute is a manufacturing process, novel material, enabling technology, supply chain integration methodology, or other relevant aspect of advanced manufacturing that has not already been commercialized, marketed, distributed, or sold by another entity.

(x) How the institute will strengthen and leverage the assets of a region to support military requirements and missions.

(3) LIMITATIONS ON AWARDS.—

(A) IN GENERAL.—No funding may be provided under the Program to an institute for manufacturing innovation after the five-year period beginning on the date on which the Secretary first awards funding to an institute under the Program.

(B) MATCHING FUNDS AND WEIGHTED PREFERENCES.—The total Federal funding awarded to an institute for manufacturing innovation, including funding awarded under the Program, during a five-year period shall not exceed 50 percent of the total funding of the institute during that period.

(d) ADDITIONAL AUTHORITIES.—

(1) APPOINTMENT OF PERSONNEL AND CONTRACTS.—The Secretary may appoint such personnel and enter into such contracts, funding agreements, and other agreements as the Secretary considers necessary or appropriate to carry out the Program, including support for research and development activities involving an institute for manufacturing innovation.

(2) ACCEPTANCE OR TRANSFER OF FUNDS.—The Secretary may accept from or transfer to other Federal agencies, or State or local governments, such sums as the Secretary considers necessary or appropriate to carry out the Program.

(3) USE OF RESOURCES.—In furtherance of the purposes of the Program, the Secretary may use, with the consent of a covered entity and with or without reimbursement, the land, services, equipment, personnel, and facilities of such covered entity.

(4) ACCEPTANCE OF RESOURCES.—In addition to amounts appropriated to carry out the Program, the Secretary may accept funds, services, equipment, personnel, and facilities from any covered entity to carry out the Program pursuant to section 2601 of title 10, United States Code.

(5) COVERED ENTITY.—For purposes of this subsection, a covered entity is any Federal department, Federal agency, instrumentality of the United States, State, local government, tribal government, Territory or possession of the United States, or of any political subdivision thereof, or international organization, or any public or private entity or individual.

SA 3955. Mr. REID (for Ms. LANDRIEU) submitted an amendment intended to be proposed by Mr. REID of Nevada to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1087. LOAN GUARANTEES FOR MEDICAL ISOTOPE PRODUCTION.

(a) IN GENERAL.—Notwithstanding section 1703(a) of the Energy Policy Act of 2005 (42 U.S.C. 16513(a)), any medical isotope production facility used to produce molybdenum-99 (including nuclear reactors that use either high or low enriched uranium, nonreactor, accelerator-driven irradiation facilities, and associated radioisotope processing, waste management, and support facilities) shall be considered to be an advanced nuclear energy facility that is eligible for a guarantee under section 1703 of that Act.

(b) FUNDING.—The matter under the heading ''TITLE 17 INNOVATIVE TECHNOLOGY LOAN

GUARANTEE PROGRAM'' in title III of division C of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 619) is amended by inserting ''or medical isotope production facilities used to produce molybdenum-99'' after ''nuclear power facilities''.

SA 3956. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE XXXVI—VESSEL INCIDENTAL DISCHARGE

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Vessel Incidental Discharge Act''.

SEC. 3602. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Beginning with enactment of the Act to Prevent Pollution from Ships in 1980 (22 U.S.C. 1901 et seq.), the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 21,560,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) Over the 32 years during which this regulatory exemption was in effect, Congress enacted statutes on a number of occasions dealing with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

(b) PURPOSE.—The purpose of this title is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. 3603. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term ''aquatic nuisance species'' means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ''ballast water'' means any water, including any sediment suspended in such water, taken aboard a vessel—

(i) to control trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ''ballast water'' does not include any pollutant that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) BALLAST WATER PERFORMANCE STANDARD.—The term ''ballast water performance standard'' means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water performance standard established under subsection (a)(1)(B), (b), or (c) of section 3605.

(5) BALLAST WATER TREATMENT TECHNOLOGY OR TREATMENT TECHNOLOGY.—The term ''ballast water treatment technology'' or ''treatment technology'' means any mechanical, physical, chemical, or biological process used, alone or in combination, to remove, render harmless, or avoid the uptake or discharge of aquatic nuisance species within ballast water.

(6) BIOCIDE.—The term ''biocide'' means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water treatment technology to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water performance standard under this title.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term ''discharge incidental to the normal operation of a vessel'' means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term ''discharge incidental to the normal operation of a vessel'' does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term ''geographically limited area'' means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term ''manufacturer'' means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(11) VESSEL.—The term ''vessel'' means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 3604. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, shall establish and implement enforceable uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel. The standards and requirements shall—

(1) be based upon the best available technology economically achievable; and

(2) supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

SEC. 3605. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water performance standard under subsection (b) or adopts a more stringent State standard under subparagraph (B) of this paragraph.

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section 3610, the Secretary shall adopt the more stringent ballast water performance standard specified in the statute or regulation that is the subject of that State petition in lieu of the ballast water performance standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER PERFORMANCE STANDARD; 8-YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2022, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water performance standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 living organism per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 living organism per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not less than 2 years before January 1, 2022, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water performance standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER PERFORMANCE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water performance standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water treatment technology, including—

(I) the capability of such treatment technology to achieve a revised ballast water performance standard;

(II) the effectiveness and reliability of such treatment technology in the shipboard environment;

(III) the compatibility of such treatment technology with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such treatment technology; and

(V) the safety of such treatment technology;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water treatment technology on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water performance standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water performance standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water treatment technology can be certified under section 3606 to comply with the revised ballast water performance standard under paragraph (1), the Secretary shall require the use of the treatment technology that achieves the performance levels of the best treatment technology available.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that ballast water treatment technology exists that exceeds the revised ballast water performance standard under paragraph (1) with respect to a class of vessels, the Secretary shall revise the ballast water performance standard for that class of vessels to incorporate the higher performance standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water performance standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2022, but not later than December 31, 2024.

(4) REVISED PERFORMANCE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water performance standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the treatment technology to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER PERFORMANCE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of

discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other appropriate Federal agencies as determined by the Secretary, shall consider the criteria under section 3605(b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water performance standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

SEC. 3606. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—Beginning 60 days after the date that the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water treatment technology shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water treatment technology for a vessel unless the treatment technology has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water treatment technology with respect to—

(A) the effectiveness of the treatment technology in achieving the current ballast water performance standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the treatment technology on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the treatment technology meets the criteria, the Secretary may certify the treatment technology for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water treatment technology under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the treatment technology onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the treatment technology.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a system is installed and operated to meet a ballast water performance standard under this title to continue to use that system, notwithstanding any revision of a ballast water performance standard occurring after the system is ordered or installed until the expiration of the service life of the system, as determined by the Secretary, so long as the system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any treatment technology certification conditions imposed by the Secretary under this section.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water treatment technology for certification under subsection (b), the Secretary shall issue a certificate of type approval for the treatment technology to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the treatment technology under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the treatment technology is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the treatment technology.

(g) BIOCIDES.—The Secretary may not approve a ballast water treatment technology under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such treatment technology; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water treatment technology by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER TREATMENT TECHNOLOGIES CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology has been certified by a foreign entity and the certification demonstrates performance and safety of the treatment technology equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water treatment technology under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 3607. EXEMPTIONS.

(a) IN GENERAL.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel, (as defined in section 2101 of title 46, United States Code);

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code);

(4) the placement, release, or discharge of equipment, devices, or other material from a vessel for the sole purpose of conducting research on the aquatic environment or its natural resources in accordance with generally recognized scientific methods, principles, or techniques;

(5) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(6) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(7) a sovereign immune vessel of a foreign nation (including a time-chartered or voyage-chartered vessel) when engaged in noncommercial service.

(b) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standards under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section 3608.

(c) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(d) VESSELS OF THE ARMED FORCES.—Nothing in this title shall be construed to apply to—

(1) a vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel); or

(2) a vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 3608. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 3605 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters;

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary; or

(3) discharges ballast water into a facility for the reception of ballast water that meets standards promulgated by the Administrator, in consultation with the Secretary.

(b) PROMULGATION OF FACILITY STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(1) the reception of ballast water from a vessel into a reception facility; and

(2) the disposal or treatment of the ballast water under paragraph (1).

SEC. 3609. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 3610. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water performance standard that is more stringent than the ballast water performance standard under section 3605(a)(1)(A) and is in effect on the date of enactment of this Act if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any performance standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to enforce a statute or regulation under subsection (b) shall submit a petition requesting the Secretary to review the statute or regulation.

(2) CONTENTS; DEADLINE.—A petition shall—

(A) be accompanied by the scientific and technical information on which the petition is based; and

(B) be submitted to the Secretary not later than 90 days after the date of enactment of this Act.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the petition is received.

SEC. 3611. APPLICATION WITH OTHER STATUTES.

Notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies. Except as provided under section 3605(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies shall be deemed to be a regulation issued pursuant to the authority of this title and shall remain in full force and effect unless or until superseded by new regulations issued hereunder.

SA 3957. Mr. REID (for Mr. HARKIN) proposed an amendment to the bill H.R. 669, to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; as follows:

Amend the title so as to read: ''A bill to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.''.

SA 3958. Mr. REID (for Mr. HARKIN) proposed an amendment to the bill H.R. 669, to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sudden Unexpected Death Data Enhancement and Awareness Act''.

SEC. 2. CONTINUING ACTIVITIES RELATED TO STILLBIRTH, SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.

(a) IN GENERAL.—The Secretary of Health and Human Services shall continue activities related to still birth, sudden unexpected infant death, and sudden unexplained death in childhood, including, as appropriate—

(1) collecting information, such as socio-demographic, death scene investigation, clinical history, and autopsy information, on stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood through the utilization of existing surveillance systems and collaborating with States to improve the quality, consistency, and collection of such data;

(2) disseminating information to educate the public, health care providers, and other stakeholders on stillbirth, sudden unexpected infant death and sudden unexplained death in childhood; and

(3) collaborating with the Attorney General, State and local departments of health, and other experts, as appropriate, to provide consistent information for medical examiners and coroners, law enforcement personnel, and health care providers related to death scene investigations and autopsies for sudden unexpected infant death and sudden unexplained death in childhood, in order to improve the quality and consistency of the data collected at such death scenes and to promote consistent reporting on the cause of death after autopsy to inform prevention, intervention, and other activities.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that includes a description of any activities that are being carried out by agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the National Institutes of Health, related to stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood, including those activities identified under subsection (a).

SEC. 3. NO ADDITIONAL APPROPRIATIONS.

This Act shall not be construed to increase the amount of appropriations that are authorized to be appropriated for any fiscal year.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 20, 2014, at 10 a.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''Examining Takata Airbag Defects and the Vehicle Recall Process.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 20, 2014, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 20, 2014, at 1 p.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Why Are Some Generic Drugs Skyrocketing in Price?''

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

COMMITTEE ON THE JUDICIARY

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on November 20, 2014, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be

authorized to meet during the session of the Senate on November 20, 2014, in room S–216 of the Capitol, immediately following the floor vote at 2 p.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. WALSH. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 20, 2014, at 9:30 a.m., to conduct a hearing entitled ''Wall Street Bank Involvement With Physical Commodities.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. WALSH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 20, 2014, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. MURPHY. Mr. President, I ask unanimous consent that Amanda Clinton, a health care fellow in my office, be granted floor privileges for the remainder of the calendar year.

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

SUDDEN UNEXPECTED DEATH DATA ENHANCEMENT AND AWARENESS ACT

Mr. REID. I ask unanimous consent that the HELP Committee be discharged from further consideration of H.R. 669, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 669) to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the Harkin substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed, and the Harkin amendment to the title, which is also at the desk, be agreed to, with no intervening action or debate.

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

The amendment (No. 3958) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sudden Unexpected Death Data Enhancement and Awareness Act''.

SEC. 2. CONTINUING ACTIVITIES RELATED TO STILLBIRTH, SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.

(a) IN GENERAL.—The Secretary of Health and Human Services shall continue activities related to still birth, sudden unexpected infant death, and sudden unexplained death in childhood, including, as appropriate—

(1) collecting information, such as sociodemographic, death scene investigation, clinical history, and autopsy information, on stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood through the utilization of existing surveillance systems and collaborating with States to improve the quality, consistency, and collection of such data;

(2) disseminating information to educate the public, health care providers, and other stakeholders on stillbirth, sudden unexpected infant death and sudden unexplained death in childhood; and

(3) collaborating with the Attorney General, State and local departments of health, and other experts, as appropriate, to provide consistent information for medical examiners and coroners, law enforcement personnel, and health care providers related to death scene investigations and autopsies for sudden unexpected infant death and sudden unexplained death in childhood, in order to improve the quality and consistency of the data collected at such death scenes and to promote consistent reporting on the cause of death after autopsy to inform prevention, intervention, and other activities.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that includes a description of any activities that are being carried out by agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the National Institutes of Health, related to stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood, including those activities identified under subsection (a).

SEC. 3. NO ADDITIONAL APPROPRIATIONS.

This Act shall not be construed to increase the amount of appropriations that are authorized to be appropriated for any fiscal year.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 669), as amended, was passed.

The amendment (No. 3957) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A bill to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.''.

PROVIDING FOR THE EXTENSION OF THE ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4067.

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

The legislative clerk read as follows:

A bill (H.R. 4067) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4067) was ordered to a third reading, was read the third time, and passed.

AMENDING THE FEDERAL CHARTER OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5441.

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

The legislative clerk read as follows:

A bill (H.R. 5441) to amend the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 5441) was ordered to a third reading, was read the third time, and passed.

STELA REAUTHORIZATION ACT OF 2014

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5728.

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

The legislative clerk read as follows:

A bill (H.R. 5728) to amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today the Senate will finally act to send legislation to the President's desk that will ensure that Vermonters and 1.5 million Americans across the country will continue to receive satellite television programming at the end of the year. The legislation reauthorizes the Satellite Television Extension and Localism Act, STELA, which creates a distant signal statutory license to receive broadcast television signals via satellite. This legislation is the product of four committees in the Senate and

House. As chairman of the Senate Judiciary Committee, I worked with Senator GRASSLEY on the copyright aspects of this legislation to focus on preventing disruption to consumers. Because of our work together, the Judiciary Committee unanimously reported its portion of this bill on June 26 and all of these provisions are in the bill the Senate will pass today.

Sending this bill to the President shows the American people that Congress can come together in a bipartisan and bicameral fashion to pass legislation. Vermonters who rely on the distant signal license for their broadcast programming can rest easy today knowing that their existing television stations will not disappear from their screens come December 31.

Over the years I have worked on the Judiciary Committee to ensure that all Vermonters have access to Vermont broadcast television stations. In previous reauthorizations, including STELA's most recent reauthorization in 2010, I have made it a priority to ensure that every Vermont satellite subscriber has the option to watch Vermont-focused programming. Local broadcast stations play an important role in informing and fostering a sense of community. This is particularly true in a small State like mine. I am proud to have made sure that residents in every corner of Vermont will continue to have a choice to see Vermont news.

The Judiciary Committee portion of this legislation reauthorizes the distant signal license for another 5 years. It is narrowly crafted to ensure that consumers do not see any disruption in service, but also designed to make sure that content holders who are paid royalties under this license continue to receive an annual cost of living adjustment beginning from the rate that is currently in place. The distant signal license is important to consumers. I recognize, however, that compulsory licenses do not always reflect the true market value of the content that is being licensed. The mechanisms to modestly increase the rate when appropriate remain in place. Through the Senate Judiciary Committee process, I worked with Senator DURBIN, who offered a non-controversial amendment to expand the carriage of low power television stations on cable systems. I was happy to support this amendment because improving the reach of these stations so that more viewers can see them will help to expand the diversity of voices available on cable. That is as important in Burlington, VT as it is in Chicago.

I share the concerns of several Senators who wanted this legislation to do more to promote competition. It is unfortunate that the House of Representatives would not agree to the Senate's stronger language in this regard, but I was willing to compromise because the threat of letting the law expire was too great. The language in the bill we will pass today is better than what was in the original House bill. Overall, this legislation is a win for viewers in Vermont and across the country. I look forward to the President signing it into law.

Mr. ROCKFELLER. Mr. President, the bill being considered by the Senate today represents what can happen through hard work on both sides of the aisle and in both chambers of Congress. The STELA Reauthorization Act of 2014 will make sure that 1.5 million Americans do not lose access to distant broadcast network signals at the end of the year. It also adopts a number of pro-consumer video policy reforms, many of which originated in the bill that Senator THUNE and I worked diligently to pass through the Senate Commerce Committee. I am proud of this legislation, and pleased that it has garnered the unanimous support of both the House and the Senate.

I know not everyone in this body agreed with all of the specific policy provisions in the bill before us. But such is the nature of legislative compromise. I was sympathetic with many of those policy concerns, but failing to reauthorize STELA and disenfranchising millions of television viewers simply was not an option. I appreciate my colleagues' recognition of this important fact.

I want to thank Senator THUNE, as always, for his willingness to work with me in a strong bipartisan manner throughout this year-long reauthorization effort. I also want to thank Senators LEAHY and GRASSLEY for their good work and contributions to this must-pass legislation. And I am grateful to Representatives Upton, Waxman, Walden, and Eshoo for working with us in good faith to find consensus on an eminently reasonable compromise bill.

Of course, legislation of this magnitude does not come about without dedicated and savvy staff. So, we all owe a debt of gratitude to the tireless efforts of Ellen Doneski, John Branscome, Shawn Bone, David Quinalty, and Hap Rigby, as well as House Energy and Commerce staff David Redl, Grace Koh, Ray Baum, Shawn Chang, Margaret McCarthy, and David Grossman. Their commitment to public service is commendable, and the American people ultimately will benefit from their work.

This legislation, and the debate around it, has started what I believe will be a lasting conversation about the future of the video marketplace. Today's action takes positive steps toward a more consumer-centric video policy in this country. More importantly, it also represents what can be accomplished when we all go about our business legislating in a practical and productive way.

Mr. REID. Mr. President, 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. 5728) was ordered to a third reading, was read the third time, and passed.

EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. REID. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration and the Senate now proceed to the consideration of S. Res. 580.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 580) expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 580) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Monday, November 17, 2014, under "Submitted Resolutions.")

DRIVE SAFER SUNDAY

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 583.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 583) designating November 30, 2014 as "Drive Safer Sunday."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 583) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ACCESS TO HOSPITALS AND OTHER HEALTH CARE PROVIDERS IN RURAL AREAS

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 588, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 588) recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 588) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

HONORING THE LIFE OF THOMAS M. MENINO

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 589.

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

The legislative clerk read as follows:

A resolution (S. Res. 589) honoring the life of Thomas M. Menino, Mayor of Boston, Massachusetts, from 1993 to 2014.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble 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. 589) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL NATIVE AMERICAN HERITAGE MONTH

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 590.

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

The legislative clerk read as follows:

A resolution (S. Res. 590) recognizing National Native American Heritage Month and celebrating the heritage and cultures of Native Americans and the contributions of Native Americans to the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. TESTER. Mr. President, each November, we reflect on the tremendous contributions Native Americans have made and continue to make to our nation. As chairman of the Senate Committee on Indian Affairs, I am honored to continue that tradition by introducing this resolution, along with 26 of my colleagues from both sides of the aisle, honoring National Native American Heritage Month.

Native Americans have contributed immeasurably to the character and culture of the United States. They played an instrumental role as code talkers in both World Wars by using their Native languages on the battlefield, and to this day, they continue to serve in the military at a higher rate per capita than any other group in the country. In my home State of Montana, I am proud to represent more than 5,000 Native American veterans, as well as eight great tribal nations.

As we celebrate and commemorate the rich and diverse cultures and traditions of Native Americans nationwide, it is important to acknowledge the enduring challenges many tribal communities face in meeting the education, healthcare and general welfare needs of their people.

This month is an opportunity to recommit to strengthening the government-to-government relationship between tribes and the United States. It is also a reminder that the Federal government has treaty and trust obligations to the 566 Federally recognized tribes, and we must do more to ensure they have the tools they need to build stronger and healthier communities.

I look forward to continuing my work with Indian Country, and I hope my colleagues and the American people will join me in celebrating the accomplishments of Native Americans, not just this month, but throughout the year.

Mr. JOHNSON of South Dakota. Mr. President, each November, we recognize National Native American Heritage Month to celebrate the heritage and culture of the great nations that originally inhabited this country. During this month, we should reflect on the numerous achievements made over the previous year. Each day, individuals and organizations across Indian Country continually tackle tough issues and strive to make significant impacts for their people and tribes. It is these efforts that show the strength and vitality of Indian Country.

This year, across the Nation, Native American movements have unified and rallied the Native voice on several important issues to Indian County. Thousands of individuals have come together on the steps of the U.S. Capitol to share their views on environmental protections, treaty rights and the use of a racial slur by a professional sports league. A grassroots movement in South Dakota also spurred voters living on the Pine Ridge Indian Reservation to get out the vote and approve the change of their county name from Shannon County to Oglala Lakota County. These actions reflect a positive drive in the Native community; a drive that tribal, local, State and Federal Governments cannot simply ignore.

As sovereign nations, tribes have the ability to empower and govern their own people. Native American leaders in South Dakota and across the country have recognized that preserving their culture is vital to future growth and success. Native languages are being revitalized and tribal cultures are being infused into programs. With its treaty and trust responsibility, the Federal Government must support this continued progress. I have always fully believed that the best ideas come from tribal governments and leaders, and not from Washington, DC. We must continue to work together to understand and implement successful approaches.

South Dakota is home to nine treaty tribes, each with its own distinct culture and heritage. Throughout my years of service, I have had the opportunity to work closely with many leaders from each reservation. I would like to personally honor each of the South Dakota tribes: Cheyenne River Sioux Tribe, the Crow Creek Sioux Tribe, the Flandreau Santee Sioux Tribe, the Lower Brule Sioux Tribe, the Oglala Sioux Tribe, the Rosebud Sioux Tribe, the Sisseton-Wahpeton Oyate, the Standing Rock Sioux Tribe, and the Yankton Sioux Tribe.

With the commencement of the National Native American Heritage Month, I encourage everyone to join in commemorating the unique culture of the indigenous peoples of the United States. Throughout the country, numerous tribes and organizations are coordinating educational events and celebrations. While the month of November is in tribute of traditions and accomplishments of tribal nations, it is important to contemplate the many more undertakings that must be addressed. We must all continue to work together to find positive solutions for Indian Country.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble 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. 590) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTING THE DAY FOR THE CONVENING OF THE FIRST SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of H.J. Res. 129, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 129) appointing the day for the convening of the first session of the One Hundred Fourteenth Congress.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. REID. I ask unanimous consent that the joint resolution 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 joint resolution (H.J. Res. 129) was ordered to a third reading, was read the third time, and passed.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 119, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 119) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate (Thanksgiving Week 2014).

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 119) was agreed to, as follows:

H. CON. RES. 119

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, November 20, 2014, through Friday, November 28, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 1, 2014, 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 Thursday, November 20, 2014, through Friday, November 28, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, December 1, 2014, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, 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.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that during the adjournment or recess of the Senate from Thursday, November 20, through Monday, December 1, 2014, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

APPOINTMENTS AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President pro tempore and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or 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.

ORDERS FOR MONDAY, DECEMBER 1, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 119 until 2 p.m. on Monday, December 1, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, and with the time equally divided and controlled between the two leaders or their designees.

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

PROGRAM

Mr. REID. Mr. President, for the information of all Senators, there will be two rollcall votes at 5:30 p.m.—cloture on the Mamet and Bell nominations on the Monday when we get back.

ADJOURNMENT UNTIL MONDAY, DECEMBER 1, 2014, at 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:22 p.m., adjourned until Monday, December 1, 2014, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ANN DONNELLY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE SANDRA L. TOWNES, RETIRING.

ROSEANN A. KETCHMARK, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI, VICE GARY A. FENNER, RETIRING.

TRAVIS RANDALL MCDONOUGH, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE CURTIS L. COLLIER, RETIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 20, 2014:

DEPARTMENT OF STATE

DONALD LU, 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 REPUBLIC OF ALBANIA.

UNITED STATES TAX COURT

TAMARA WENDA ASHFORD, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

L. PAIGE MARVEL, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIGADIER GENERAL JON K. KELK

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. NATHANIEL S. REDDICKS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. JAMES C. WITHAM

DEPARTMENT OF STATE

LUIS G. MORENO, OF TEXAS, 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 JAMAICA.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH ANGELA R. HOLBROOK AND ENDING WITH MARTHA A. RODRIGUEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2014.

THE JUDICIARY

PAMELA PEPPER, OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN.

BRENDA K. SANNES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK.

DEPARTMENT OF STATE

GEORGE ALBERT KROL, OF NEW JERSEY, 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 KAZAKHSTAN.

JAMES D. PETTIT, OF VIRGINIA, 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 MOLDOVA.

BRENT ROBERT HARTLEY, OF OREGON, 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 SLOVENIA.

DEPARTMENT OF THE TREASURY

RAMIN TOLOUI, OF IOWA, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

UNITED STATES TAX COURT

CARY DOUGLAS PUGH, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

DEPARTMENT OF DEFENSE

ROBERT M. SPEER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY.

DEPARTMENT OF AGRICULTURE

LISA AFUA SERWAH MENSAH, OF MARYLAND, TO BE UNDER SECRETARY OF AGRICULTURE FOR RURAL DEVELOPMENT.

THE JUDICIARY

MADELINE COX ARLEO, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

WENDY BEETLESTONE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

VICTOR ALLEN BOLDEN, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT.

DEPARTMENT OF STATE

PAMELA LEORA SPRATLEN, 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 REPUBLIC OF UZBEKISTAN.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH LESLIE MEREDITH TSOU AND ENDING WITH LON C. FAIRCHILD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 30, 2014.