

pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Geothermal Lease Revenues; to the Committee on Appropriations.

EC-1270. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1271. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert E. Durbin, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1272. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the procurement and use of munitions; to the Committee on Armed Services.

EC-1273. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to Special Duty Pay for Afghanistan; to the Committee on Armed Services.

EC-1274. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to person-to-person mental health assessments; to the Committee on Armed Services.

EC-1275. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the Global Hawk program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC-1276. A communication from the Commission on Wartime Contracting in Iraq and Afghanistan, transmitting, pursuant to law, a report entitled "Iraq—Forgotten Mission? The United States Needs to Sustain a Diplomatic Presence to Preserve Gains and Avoid Waste as the U.S. Military Leaves Iraq"; to the Committee on Armed Services.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 394. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 410. A bill to provide for media coverage of Federal court proceedings.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York.

Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York.

Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for

the District Court for the Northern Mariana Islands for a term of ten years.

(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. PRYOR (for himself, Mr. BOOZMAN, Mr. WICKER, Ms. SNOWE, and Mr. VITTER):

S. 754. A bill to amend title 49, United States Code, to require the Secretary of Transportation to establish and maintain a national clearinghouse for records relating to alcohol and controlled substance testing of commercial motor vehicle operators, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. SESSIONS, Mrs. MCCASKILL, Mr. THUNE, Mrs. BOXER, and Mr. GRAHAM):

S. 755. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 756. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. BINGAMAN, and Mr. ENZI):

S. 757. A bill to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. LIEBERMAN, and Mrs. SHAHEEN):

S. 758. A bill to establish a Science, Technology, Engineering, and Math (STEM) Master Teacher Corps program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 759. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. WEBB):

S. 760. A bill to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself, Mr. AKAKA, and Mrs. MCCASKILL):

S. 761. A bill to improve the acquisition workforce through the establishment of an acquisition management fellows program and a leadership development training program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Mr. AKAKA, Mrs. MCCASKILL, and Mr. BROWN of Massachusetts):

S. 762. A bill to improve the Federal Acquisition Institute; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LIEBERMAN (for himself, Mr. BROWN of Massachusetts, and Ms. LANDRIEU):

S. 763. A bill to amend the Elementary and Secondary Education Act of 1965 to require the establishment of teacher evaluation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 764. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 765. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 766. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wason and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 767. A bill to improve the calculation of, the reporting of, and the accountability for, secondary school graduation rates; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself and Mr. DEMINT):

S. 768. A bill to provide for continuing operations of Government in a fiscally responsible manner; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LUGAR:

S. Res. 135. A resolution remembering the 1 year anniversary of the April 10, 2010, plane crash that claimed the lives of the President of Poland Lech Kaczynski, his wife, and 94 others, while they were en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union in 1940; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 136. A resolution to authorize document production in *United States v. Douglas D. Hampton* (D.D.C.); considered and agreed to.

By Mr. BURR (for himself, Ms. LANDRIEU, Mrs. HUTCHISON, and Mrs. HAGAN):

S. Res. 137. A resolution supporting the goals and ideals of Take Our Daughters and Sons To Work Day; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 211

At the request of Mr. ISAKSON, the names of the Senator from Maine (Ms. SNOWE), the Senator from Arizona (Mr. KYL) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 254

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 254, a bill to reduce the rape kit backlog and for other purposes.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 489, a bill to require certain mortgages to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 501

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 501, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 520

At the request of Mr. COBURN, the names of the Senator from Idaho (Mr. RISCH), the Senator from Alabama (Mr. SESSIONS), the Senator from Texas (Mr. CORNYN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 595

At the request of Mrs. MURRAY, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 605

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 605, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 662

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 662, a bill to provide for payments to certain natural resource trustees to assist in restoring natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes.

S. 665

At the request of Mr. BROWN of Ohio, the name of the Senator from New

York (Mrs. GILLIBRAND) was added as a cosponsor of S. 665, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 712

At the request of Mr. DEMINT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 712, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 716

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 716, a bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes.

S. 718

At the request of Mr. ROBERTS, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Wyoming (Mr. ENZI), the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mr. JOHANNES), the Senator from Indiana (Mr. LUGAR), the Senator from Idaho (Mr. RISCH), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from North Carolina (Mr. BURR), the Senator from Missouri (Mr. BLUNT), the Senator from Kansas (Mr. MORAN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 718, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 720

At the request of Mr. THUNE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 724

At the request of Mrs. HUTCHISON, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Mexico (Mr. UDALL), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Montana (Mr. TESTER), the Senator from Louisiana (Mr. VITTER), the Senator from Tennessee (Mr. CORKER), the Senator from West Virginia (Mr. MANCHIN), the Senator

from Colorado (Mr. UDALL), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Alabama (Mr. SESSIONS), the Senator from Massachusetts (Mr. BROWN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Alabama (Mr. SHELBY) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 724, a bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 740

At the request of Mr. REED, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. CON. RES. 7

At the request of Mr. JOHANNES, his name was added as a cosponsor of S. Con. Res. 7, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 86

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 86, a resolution recognizing the Defense Intelligence Agency on its 50th Anniversary.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

AMENDMENT NO. 253

At the request of Ms. SNOWE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of

amendment No. 253 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. SESSIONS, Mrs. McCASKILL, Mr. THUNE, Mrs. BOXER, and Mr. GRAHAM):

S. 755. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due; to the Committee on Finance.

Mr. WYDEN. Mr. President, today, along with my colleagues Senators SESSIONS, McCASKILL, THUNE, BOXER, and GRAHAM, I am introducing the Crime Victim Restitution and Court Fee Intercept Act. This bipartisan bill would help crime victims and state courts recover the restitution and fees that are owed to them. This bill would accomplish this worthy goal by intercepting tax refunds of deadbeat debtors who've failed to pay restitution or court fees. If enacted, this bill would essentially allow state courts to cross-reference outstanding debts with the IRS and use existing procedures to withhold tax refunds in order to satisfy past due debts.

This bill would not only deliver justice to crime victims who are owed restitution, but would also provide much-needed resources to help keep court rooms open and court programs operating. At a time when our State and local governments are struggling to find funding for vital programs—including keeping courthouse doors open—unpaid court fees represent an important source of revenue that should be captured. This bill would help close budget gaps and provide additional revenue without raising taxes or imposing any new costs or burdens. In fact, participation in the program would be optional for States, but I expect most States to participate and to benefit greatly from this bill.

This bill would operate the same way as the very successful child support debt collection system. The bill will allow states to share information on outstanding restitution owed and court debts with the IRS, which would then be required to intercept any Federal tax refunds of debtors and send that money to the victim or court owed that debt.

It has been estimated by the National Center for State Courts that outstanding court debts across the country total approximately \$15 billion. In my home state of Oregon alone, the outstanding restitution and court fee debt amount is \$987 million. Only a portion of outstanding debts are owed by individuals who will receive Federal tax refunds, so a portion of court debts would not be collected immediately. Nonetheless, the state of Oregon estimates that passage of this bill would

allow the State to collect \$30 million per year.

Without this straight-forward and efficient mechanism, the collection of victim restitution and court debts is a costly and time-consuming process. Enactment of this bill would reduce the fiscal cost and administrative burden that victims and courts bear in attempting to collect those debts. Again, in the midst of a challenging fiscal crisis, it only makes common sense to collect revenues that are already owed—through an efficient and convenient method.

Because this bill would benefit both the court system, and those who rely upon it, the Crime Victim Restitution and Court Fee Intercept Act is endorsed by a broad array of court, government, law enforcement, and crime victims' organizations. I would like to especially recognize the National Center for State Courts and the American Bar Association for their support in getting this bill introduced.

The bill is also supported by the Conference of Chief Justices, the Conference of State Court Administrators, the National Association for Court Managers, the National Conference of State Legislatures, the National Association of Counties, the Government Finance Officers Association, the National District Attorneys Association, the American Probation and Parole Association, the National Crime Law Institute, the National Center for Victims of Crime, the National Organization for Victim Assistance, the National Association of Crime Victim Compensation Boards, the National Association of VOCA Assistance Administrators, the National Network to End Domestic Violence, the National Alliance to End Sexual Violence, the National Organization of Parents of Murdered Children Inc., and Mothers Against Drunk Driving.

I urge all colleagues to support this bipartisan legislation and I yield the floor.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 756. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, in March, I introduced S. 454, the Strengthening Program Integrity and Accountability in Health Care Act, to enhance the government's ability to combat Medicare and Medicaid fraud.

One of the provisions in that bill would require the Secretary of Health and Human Services to issue regulations to make Medicare claims and payment data available to the public similar to other federal spending disclosed on [www.USAspending.gov](http://www.USAspending.gov).

That website was created by legislation sponsored by then-Senator Obama and Senator COBURN. It lists almost all federal spending, but it doesn't include Medicare payments made to physicians.

That means virtually every other government program, including some defense spending, is more transparent than spending by the Medicare program.

Medicare is funded by taxpayers, and in 2009, the federal government spent \$502 billion on Medicare.

Taxpayers should have a right to see how their hard-earned dollars are being spent.

Also, if doctors know their billing information is public, it might deter some wasteful practices and over-billing.

On the day that I introduced S. 454, I learned that Senator WYDEN was also working on legislation to make Medicare payments to physicians available to the public. We decided to work together.

Today, Senator WYDEN and I are introducing the Medicare Data Access for Transparency and Accountability Act, Medicare DATA Act.

This bill would require the Secretary of Health and Human Services to issue regulations to make available a searchable Medicare payment database that the public can access at no cost.

Our bill also clarifies that data on Medicare payments to physicians and suppliers do not fall under a Freedom of Information Act, FOIA, exemption.

Under a 1979 court decision, Medicare is prohibited from releasing physicians' billing information to the public.

But before that injunction, the Department of Health, Education, and Welfare—now the Department of Health and Human Services—was in the process of releasing reimbursement data for all Medicare providers.

Third parties that have tried to obtain physician specific data through the FOIA process have failed in the past because the courts held that physicians' privacy interests outweigh the public's interest in disclosure.

The nonprofit, consumer organization—Consumers' Checkbook—for example, had filed a lawsuit against the Department of Health and Human Services to compel disclosure of that data.

The organization made its FOIA request to determine whether or not Medicare paid physicians who had the qualifications to perform the services for which they sought federal reimbursement, especially those performing a high volume of difficult procedures.

In particular, the organization was looking for physicians with insufficient board certifications or histories of disciplinary actions.

My question is: why wouldn't we want individuals examining this data to ensure that the government is protecting taxpayer dollars by preventing improper billing to the Medicare program?

And why wouldn't we want public interest watchdog groups helping to look out for potential abuse or fraud?

In January, the Wall Street Journal reported the American Medical Association's, AMA, concerns about making