

through a tunnel or passage described in section 555(a) of title 18, United States Code, shall be subject to seizure and forfeiture in accordance with section 596(c) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)).

#### SEC. 7. MONEY LAUNDERING DESIGNATION.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting "section 555 (relating to border tunnels)," after "section 554 (relating to smuggling goods from the United States)."

#### SEC. 8. NOTIFICATION REQUIREMENTS.

(a) NOTIFICATION TO LAND OWNERS.—The Secretary is encouraged to annually provide each known nongovernmental owner and tenant of land located in a national security zone with a written notification that describes—

(1) Federal laws related to the construction of illegal border tunnels; and

(2) the procedures for reporting violations of such laws to U.S. Immigration and Customs Enforcement.

(b) DESIGNATION OF BORDER TUNNEL HIGH RISK AREAS.—

(1) IN GENERAL.—The Secretary may designate any Southwest Border land that the Secretary has a substantial reason to believe is at a high risk for border tunnel activity as a national security zone.

(2) PUBLICATION.—The Secretary shall—

(A) publish any designations made under paragraph (1) in the Federal Register; and

(B) allow appropriate notice and comment in accordance with the chapter 5 of title 5, United States Code (commonly referred to as the "Administrative Procedures Act").

(c) RULEMAKING.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

#### SEC. 9. REPORT.

(a) IN GENERAL.—The Secretary shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross border tunnels in Southwest Border land discovered during the reporting period; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction on Southwest Border land.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

#### COMMEMORATING 105TH ANNIVERSARY OF THE BATTLE OF MILL SPRINGS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 357 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 357) commemorating the 105th anniversary of the Battle of Mill Springs and the significance of the battle to the Civil War.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN of Ohio. 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.

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

The resolution (S. Res. 357) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 357

Whereas the Battle of Mill Springs, which took place on January 19, 1862, in Pulaski and Wayne Counties in Kentucky, was the first significant victory for the Union Army in the Civil War, according to the National Park Service;

Whereas Confederate General Felix Zollicoffer, who died at the Battle of Mill Springs, was one of the first generals to die in the Civil War;

Whereas the Battle of Mill Springs was the second largest battle to take place in Kentucky during the Civil War, engaging over 10,000 soldiers;

Whereas the outcome of the Battle of Mill Springs opened the path for the Union Army to move through Kentucky and into Tennessee, affecting the outcome of the Civil War;

Whereas Mill Springs Battlefield has been designated as a National Historic Landmark by the Department of the Interior;

Whereas the Mill Springs Battlefield Association, along with volunteers in the surrounding community, has made significant strides in preserving the historic site of the battle and educating the public about the historic event that took place at that site;

Whereas the Mill Springs Battlefield Association Visitor Center provides visitors with battlefield tours, access to Civil War artifacts, and a Civil War library; and

Whereas more than 50,000 visitors have traveled to the uniquely preserved battlefield, which spans nearly 500 acres: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 150th anniversary of the Battle of Mill Springs;

(2) recognizes—

(A) the work of the Mill Springs Battlefield Association in acquiring, preserving, and maintaining Mill Springs Battlefield for posterity; and

(B) the continuing effort of the Mill Springs Battlefield Association to educate the public about this significant historic event;

(3) encourages the people of the United States to visit Mill Springs Battlefield on the occasion of the 150th anniversary of the Battle of Mill Springs; and

(4) recognizes—

(A) the contributions of the soldiers who fought in the Battle of Mill Springs; and

(B) the outcome of the Battle of Mill Springs, which helped to preserve the union of the United States.

#### NATIONAL DATA PRIVACY DAY

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 358, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 358) expressing support for the designation of January 28, 2012, as "National Data Privacy Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN of Ohio. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 358) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 358

Whereas new and innovative technologies enhance our lives by increasing our ability to communicate, learn, share, and produce;

Whereas integration of new and innovative technologies into our everyday lives has the potential to compromise the privacy of our personal information if appropriate protection is not taken;

Whereas protecting the privacy of personal information is a global imperative for governments, commerce, civil society, and individuals;

Whereas many individuals and companies are unaware of the risks to the privacy of personal information posed by new and innovative technologies, of data protection and privacy laws, or of the specific steps they can take to protect the privacy of personal information;

Whereas "National Data Privacy Day" constitutes an international collaboration and a nationwide effort to educate and raise awareness about data privacy and about protecting the privacy of personal information;

Whereas the fourth annual recognition of "National Data Privacy Day" by Congress would encourage more people nationwide to be aware of data privacy and to protect the privacy of their personal information;

Whereas government officials and agencies from the United States, Canada, and Europe, as well as representatives of businesses and nonprofit organizations, privacy professionals, academic communities, legal scholars, educators, and others with an interest in data privacy are working together on January 28, 2012, to educate and raise awareness about data privacy and about protecting the privacy of personal information;

Whereas on January 28, 2012, privacy professionals and educators are being encouraged to discuss data privacy and security with teens and young adults in schools across the United States, and parents are being encouraged to discuss data privacy and security with their children; and

Whereas January 28, 2012, would be an appropriate day to designate as "National Data Privacy Day": Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of January 28, 2012, as "National Data Privacy Day";

(2) encourages State and local governments to observe the day with appropriate activities and initiatives that raise awareness about data privacy;

(3) encourages privacy professionals and educators to discuss data privacy and security with teens and young adults in schools across the United States;

(4) encourages corporations to take steps to protect the privacy and security of the personal information of their clients and

consumers, to design data privacy into products they create wherever possible, and to promote trust in technologies; and

(5) encourages individuals across the United States to learn about data privacy and the specific steps they can take to protect the privacy of their personal information.

#### HONORING THE LIFE AND LEGACY OF VÁCLAV HAVEL

Mr. BROWN of Ohio. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. Con. Res. 34, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 34) expressing the sense of Congress in honor of the life and legacy of Václav Havel.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BROWN of Ohio. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 34) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 34

Whereas Václav Havel, former President of the Czech Republic, passed away on December 18, 2011, at 75 years of age, at his country home in Hrádeček in the Czech Republic;

Whereas Václav Havel was widely recognized and respected throughout the world as a defender of democratic principles and human rights;

Whereas through his extensive writings, Václav Havel courageously challenged the ideology and legitimacy of the authoritarian communist regimes that ruled Central and Eastern Europe during the Cold War;

Whereas Václav Havel, who was imprisoned 3 times by the Communist Party of Czechoslovakia for his advocacy of universal human rights and democratic principles, maintained his convictions in the face of repression;

Whereas Václav Havel was one of the leading organizers of Charter 77, a group of 242 individuals who called for the human rights guaranteed under the 1975 Helsinki accords to be realized in Czechoslovakia;

Whereas Václav Havel was a cofounder of the Committee for the Defense of the Unjustly Prosecuted, an organization dedicated to supporting dissidents and their families, which helped to advance the cause of freedom and justice in Czechoslovakia;

Whereas Václav Havel, as leader of the Civic Forum movement, was a key figure in the 1989 peaceful overthrow of the Czechoslovakian communist government known as the Velvet Revolution;

Whereas following the Velvet Revolution, Václav Havel was democratically elected as President of the Czech and Slovak Federal Republic in 1990, and after a peaceful partition forming 2 separate states, democratically elected President of the Czech Republic in 1993;

Whereas under the leadership of Václav Havel, the Czech Republic became a prosperous, democratic country and a respected member of the international community;

Whereas under the leadership of Václav Havel, the Czech Republic became a member of the North Atlantic Treaty Organization (NATO) on March 12, 1999, and continues to be a valued friend and treasured ally of the United States;

Whereas during his lifetime, Václav Havel received praise as one of the world's great democratic leaders and awarded many international prizes recognizing his commitment to peace and democratic principles;

Whereas on July 23, 2003, President George W. Bush honored Václav Havel with the Presidential Medal of Freedom, the highest civilian award of the United States Government, for being "one of liberty's great heroes";

Whereas, after leaving office as president of the Czech Republic in February 2003, Václav Havel remained a voice on behalf of democratic dissidents worldwide and against authoritarian regimes, including Belarus, Iran, Cuba, and Burma;

Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) mourns the loss of Václav Havel and offers its heartfelt condolences to the Havel family and the people of the Czech Republic;

(2) recognizes Václav Havel's courage and commitment to democratic values in the face of communist repression;

(3) recognizes Václav Havel's pivotal historical legacy in defeating the ideology of communism, peacefully ending the Cold War, and building a Europe that is democratic, united, and at peace;

(4) recognizes Václav Havel's solidarity with democratic dissidents throughout the world and support for the expansion of freedom, including in Belarus, Iran, Cuba, and Burma; and

(5) reaffirms the commitment of the United States to the causes of freedom, democracy, and human rights for which Václav Havel stood.

#### MEASURE READ THE FIRST TIME—S. 2041

Mr. BROWN of Ohio. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2041) to approve the Keystone XL pipeline project and provide for environmental protection and government oversight.

Mr. BROWN of Ohio. I now ask for a second reading in order to place the bill on the calendar under the provi-

sions of rule XIV, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

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

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

#### ORDERS FOR TUESDAY, JANUARY 31, 2012

Mr. BROWN of Ohio. I ask unanimous consent that the Senate adjourn until 10 a.m. tomorrow, Tuesday, January 31, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, 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 11:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half, and that following morning business, the Senate proceed to vote on the motion to proceed to Calendar No. 301, S. 2038, the Stop Trading on Congressional Knowledge (STOCK) Act; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for weekly caucus meetings.

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

#### PROGRAM

Mr. BROWN of Ohio. Madam President, we will begin consideration of the STOCK Act during tomorrow's session of the Senate. Senators will be notified when votes are scheduled.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN of Ohio. If there is no further business to come before Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:38 p.m., adjourned until Tuesday, January 31, 2012, at 10 a.m.