

The 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 H.R. 2775, as amended.

Harry Reid, Richard J. Durbin, Patty Murray, Barbara Boxer, Patrick J. Leahy, Sheldon Whitehouse, Debbie Stabenow, Michael F. Bennet, John D. Rockefeller IV, Jon Tester, Jack Reed, Mark R. Warner, Tim Kaine, Benjamin L. Cardin, Charles E. Schumer, Christopher A. Coons.

The PRESIDENT pro tempore. By unanimous consent, the mandatory quorum has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 2775, as amended, should be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The yeas and nays resulted—yeas 83, nays 16, as follows:

[Rollcall Vote No. 218 Leg.]

# YEAS—83

Alexander	Fischer	Merkley
Ayotte	Flake	Mikulski
Baldwin	Franken	Moran
Barrasso	Gillibrand	Murkowski
Baucus	Graham	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Boozman	Heitkamp	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Rockefeller
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Kaine	Scott
Casey	King	Shaheen
Chambliss	Kirk	Stabenow
Chiesa	Klobuchar	Tester
Coats	Landrieu	Thune
Coburn	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Collins	Manchin	Warner
Coons	Markey	Warren
Corker	McCain	Whitehouse
Donnelly	McCaskill	Wicker
Durbin	McConnell	Wyden
Feinstein	Menendez	

# NAYS—16

Cornyn	Johnson (WI)	Sessions
Crapo	Lee	Shelby
Cruz	Paul	Toomey
Enzi	Risch	Vitter
Grassley	Roberts	
Heller	Rubio	

# NOT VOTING—1

Inhofe

Under the previous order, cloture having been invoked, all time is yielded back.

The bill, as amended, was ordered to a third reading and was read the third time.

The PRESIDENT pro tempore. Under the previous order, the bill, as amended, having been read the third time, the question is, Shall the bill pass?

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

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 81, nays 18, as follows:

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 81, nays 18, as follows:

[Rollcall Vote No. 219 Leg.]

# YEAS—81

Alexander	Fischer	Menendez
Ayotte	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Moran
Baucus	Graham	Murkowski
Begich	Hagan	Murphy
Bennet	Harkin	Murray
Blumenthal	Hatch	Nelson
Blunt	Heinrich	Portman
Boozman	Heitkamp	Pryor
Boxer	Hirono	Reed
Brown	Hoeven	Reid
Burr	Isakson	Rockefeller
Cantwell	Johanns	Sanders
Cardin	Johnson (SD)	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Chambliss	Kirk	Stabenow
Chiesa	Klobuchar	Tester
Coats	Landrieu	Thune
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Corker	Markey	Warren
Donnelly	McCain	Whitehouse
Durbin	McCaskill	Wicker
Feinstein	McConnell	Wyden

# NAYS—18

Coburn	Heller	Rubio
Cornyn	Johnson (WI)	Scott
Crapo	Lee	Sessions
Cruz	Paul	Shelby
Enzi	Risch	Toomey
Grassley	Roberts	Vitter

# NOT VOTING—1

Inhofe

The bill (H.R. 2775), as amended, was passed.

The amendment (No. 2005) was agreed to, as follows:

Amend the title to read: “An Act making continuing appropriations for the fiscal year ending September 30, 2014, and for other purposes.”

Mr. SANDERS. Mr. President, I move to reconsider the vote.

Mrs. HAGAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

# ESTABLISHING THE BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2014

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H. Con. Res. 25, which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 25) establishing the budget for the United States Government for fiscal year 2014 and setting forth appropriate budgetary levels for fiscal years 2015 through 2023.

The PRESIDENT pro tempore. Under the previous order, amendment No. 2006 is agreed to, the motion to reconsider is considered made and laid upon the table; H. Con. Res. 25, as amended, is

agreed to; the motion to reconsider is considered made and laid upon the table, and the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, conferees are instructed to report back by December 13, 2013, and the Chair is authorized to appoint conferees on the part of the Senate.

The amendment (No. 2006) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

# EXECUTIVE SESSION

# NOMINATION OF RICHARD F. GRIFFIN, JR., TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD

Mr. REID. I unanimous consent to proceed to executive session to consider Calendar No. 344.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board for a term of four years.

# 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 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 Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

Harry Reid, Brian Schatz, Barbara Boxer, Carl Levin, Bill Nelson, Jeff Merkley, Robert P. Casey, Jr., Debbie Stabenow, Mark R. Warner, Tammy Baldwin, Jeanne Shaheen, Kirsten E. Gillibrand, Mark Udall, Tom Udall, Michael F. Bennet, Amy Klobuchar, Elizabeth Warren, Ron Wyden.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived and that the Senate now resume legislative session.

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

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

## MORNING BUSINESS

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

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

## RECOGNIZING JANET HINOSTROZA

Mr. LEAHY. Mr. President, I want to bring to the attention of my colleagues a courageous Ecuadoran journalist who has been recognized by the Committee to Protect Journalists International Press.

Janet Hinostroza has anchored the investigative news show "30 Plus" for the past decade and hosted the news program "La Mañana de 24 Horas," both on the private Ecuadoran television channel Teleamazonas. She also hosts a radio program on 98.1 FM Mundo and is the local correspondent for Univision, while managing a production company specializing in journalistic programming and audiovisual products.

Ms. Hinostroza has attracted the wrath of the Ecuadoran authorities for reporting on such important issues as human and arms trafficking, the Ecuadoran police, corruption, and extrajudicial killings. She recently investigated a scandal involving a loan by a state-owned bank to a businessman who defaulted. I am informed that her reporting uncovered irregularities in the loan and connected the businessman to the then-head of Ecuador's central bank, who was President Rafael Correa's cousin. As a result, she received anonymous phone calls threatening her safety and she had to temporarily leave her television news program.

Teleamazonas, like many Ecuadoran news outlets that engage in reporting critical of the government, is regularly targeted with harassment by official censors. Ms. Hinostroza's program is required to designate regular time slots, legally reserved for reporting official information in times of crisis, to present presidential rebuttals to her reports, contrary to Ecuador's broadcast laws.

In recognition of Ms. Hinostroza's brave and important work and commitment to fighting for a free press, next month the Committee to Protect Journalists will award Ms. Hinostroza the International Award for Freedom of the Press.

Unfortunately, the harassment of Ms. Hinostroza is only one example of a steady deterioration of democratic principles in Ecuador. It is the responsibility of democratic governments to foster an environment of pluralism, and nothing is more basic to that than

public access to information from a free press. Instead, the Ecuadoran Government has carried out a relentless assault on the media, and recently it went a step further by restricting the autonomy of nongovernmental organizations.

A decree adopted in June creates burdensome new procedures for nongovernmental organizations, both Ecuadoran and international, to obtain legal status to operate in the country. Like a free press, civil society plays a crucial oversight role in any democratic society. The Ecuadoran decree is similar to what we have seen in other countries whose repressive governments are using laws and decrees to silence their critics.

I ask unanimous consent that excerpts from a recent report by Human Rights Watch about the Correa government's latest efforts to consolidate power and silence its critics be printed in the RECORD.

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

[From Human Rights Watch, Aug. 12, 2013]

## ECUADOR: CLAMPDOWN ON CIVIL SOCIETY

(WASHINGTON, DC).—Ecuador should revoke a presidential decree that grants far-reaching powers to the government to oversee and dissolve nongovernmental organizations, Human Rights Watch said today.

On June 4, 2013, President Rafael Correa adopted a decree that creates new procedures for Ecuadoran nongovernmental organizations to obtain legal status and requires international organizations to undergo a screening process to seek permission to work in Ecuador. The decree also grants the government broad powers to intervene in groups' operations. It gives the government authority, for example, to dissolve Ecuadoran groups for "compromis[ing] public peace."

"The Correa administration has damaged free speech, expending a lot of its energy focusing on the media, and now it's trying to trample on independent groups," said Jose Miguel Vivanco, Americas director at Human Rights Watch. "Officials can now essentially decide what groups may say or do, seriously undermining their role as a check on the government."

Correa presented a draft proposal of a similar decree in December 2010, but it was shelved after criticism from local and international groups.

Under the decree, the authorities are creating an electronic Unified System of Information of Social Groups, which would store documentation from organizations. Ecuadoran organizations are required to file a series of documents to obtain legal status and approval of their by-laws. Groups have one year from the publication of the decree on June 20 to present the required paperwork.

Government officials from ministries related to the work done by the group—for example, the Health Ministry if the group works on health-related topics—review the documentation and have the authority to grant or deny the group legal status. Once they obtain legal status, groups must inform authorities when they select directors and a legal representative and if they add or remove members. They must also provide the government with information about projects with international funding, and get government authorization to revise their by-laws.

The decree limits groups' ability to choose who can be a member or participant, undermining their right to free assembly, Human Rights Watch said. The decree imposes on Ecuadoran groups an obligation to respect the "right" of anyone who "due to their place of residency or having a specific labor, institutional, union, occupational, or professional qualification directly related to the objective or nature and/or purposes of the organization, is interested in participating in it." Groups with certain territorial coverage or those that are "the only ones in their location" may not reject people with a "legitimate interest" in participating.

The government officials who grant a group legal status have broad monitoring powers to make sure that it only carries out "authorized" work. Officials may dissolve a group if they consider the organization is "mov[ing] away from the objectives for which it was created," or if it is involved in activities that "compromise public peace" or "interfere with public policies that undermine national or external security of the state."

International groups seeking to work in Ecuador must request permission from the Technical Secretariat of International Cooperation, providing information on the "purposes and work they wish to carry out in the country." They have to provide documents that "demonstrate [their] legal existence," including their by-laws in Spanish. The government will then ask Ecuadoran embassies and consulates in countries where the international group operates for information about the "legality, solvency, and seriousness" of the organization. Based on this information, it will decide whether to sign an agreement with the international group to authorize it to work in Ecuador.

The decree also imposes vaguely defined prohibitions on international groups—for instance, they are not allowed to conduct activities that "undermine security and public peace." It also allows government officials to monitor a group's activities "to ensure the true fulfillment of its obligations" and to revoke the international agreement if they decide the group violates it.

On August 7, a lower court judge rejected a constitutional challenge filed by Fundamedios, an organization that monitors freedom of expression, against the decree. The group has filed an appeal, which remains pending before the courts.

Under international law, however, as part of their duty to promote and protect human rights, governments must ensure that human rights defenders are allowed to pursue their activities without reprisals, threats, intimidation, harassment, discrimination, or unnecessary legal obstacles. The Inter-American Court of Human Rights held in 2003 that "[r]espect for human rights in a democratic state depends largely on human rights defenders enjoying effective and adequate guarantees so as to freely go about their activities, and it is advisable to pay special attention to those actions that limit or hinder the work of human rights defenders."

The rights to freedom of expression and association may be subject to limitations, but the limitations must adhere to strict standards so that they do not improperly impede the exercise of those rights. Any restrictions should be "prescribed by law, necessary in a democratic society, and proportionate to the aim pursued" and should not "harm the principles of pluralism, tolerance and broadmindedness."

Article 16 of the American Convention on Human Rights states that the right of freedom of association "shall be subject only to such restrictions established by law as may be necessary in a democratic society, in the