

Senate and such standing rules shall be printed as a Senate document.

(b) ADDITIONAL COPIES.—In addition to the usual number, 1,750 additional copies shall be printed for use by the Committee on Rules and Administration.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2010. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 287, to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; which was ordered to lie on the table.

SA 2011. Mr. McCONNELL (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 815, to prohibit the employment discrimination on the basis of sexual orientation or gender identity; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2010. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 287, to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, strike line 25 and insert the following: homelessness pursuant to such partnerships.

“(f) SUNSET.—The authority of the Secretary to enter into partnerships under this section as described in subsection (a) shall expire on December 31, 2016.”

On page 13, strike lines 3 through 18 and insert the following:

#### SEC. 10. EXTENSION OF AUTHORITY FOR PROGRAM OF REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK OF HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023 of title 38, United States Code, is amended—

(1) by striking subsection (b);

(2) in subsection (c)(1), by striking “To the extent practicable, the program” and inserting “The program”;

(3) in subsection (d), by striking “September 30, 2014” and inserting “September 30, 2017”;

(4) in subsection (e)(2), by striking “provided under the demonstration program”;

(5) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively.

On page 14, strike lines 2 through 14 and insert the following:

(a) TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2031(b) of title 38, United States Code, is amended by striking “December 31,

Beginning on page 14, strike line 24 and all that follows through page 15, line 7, and insert the following:

(f) TRAINING ENTITIES FOR PROVISION OF SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.—Section 2044(e)(3) of such title is amended by striking “2012” and inserting “2014”.

On page 15, strike lines 8 through 12.

On page 16, line 7, strike “March 31, 2018” and insert “August 31, 2017”.

SA 2011. Mr. McCONNELL (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 815, to prohibit the employment discrimination on the basis of sexual orientation or gender identity; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. 18. NATIONAL RIGHT TO WORK.

(a) AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.—

(1) RIGHTS OF EMPLOYEES.—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(2) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(A) in subsection (a)(3), by striking “: Provided, That” and all that follows through “retaining membership”;

(B) in subsection (b)—

(i) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”;

(ii) in paragraph (5), by striking “covered by an agreement authorized under subsection (a)(3) of this section”;

(C) in subsection (f), by striking clause (2) and redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

(b) AMENDMENT TO THE RAILWAY LABOR ACT.—Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

(c) APPLICATION OF SEVERABILITY CLAUSE.—For purposes of section 16, any reference in such section to a provision of this Act includes an amendment made by subsection (a) or (b).

(d) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on the date of enactment of this Act.

#### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Sergio Plaza and Warren Erickson of my staff be granted floor privileges for the duration of today's session and that Katrina Rogachevsky be granted floor privileges for the duration of this week.

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

#### APPOINTMENT OF CONFEREES— H.R. 3080

Mr. BENNET. Mr. President, I understand the Chair is ready to announce the conferees for H.R. 3080, the water resources bill.

The Presiding Officer appointed Mrs. BOXER, Mr. BAUCUS, Mr. CARPER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. VITTER, Mr. INHOFE, and Mr. BARRASSO conferees on the part of the Senate.

#### CRIMINAL ANTITRUST ANTI-RETALIATION ACT OF 2013

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to Calendar No. 233, S. 42.

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

The legislative clerk read as follows:

A bill (S. 42) to provide anti-retaliation protections for antitrust whistleblowers.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Criminal Antitrust Anti-Retaliation Act of 2013”.

#### SEC. 2. AMENDMENT TO ACPERA.

The Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (Public Law 108–237; 15 U.S.C. 1 note) is amended by adding after section 215 the following:

#### “SEC. 216. ANTI-RETALIATION PROTECTION FOR WHISTLEBLOWERS.

“(a) WHISTLEBLOWER PROTECTIONS FOR EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS.—

“(1) IN GENERAL.—No employer may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a covered individual in the terms and conditions of employment of the covered individual because—

“(A) the covered individual provided or caused to be provided to the employer or the Federal Government information relating to—

“(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of the antitrust laws; or

“(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws; or

“(B) the covered individual filed, caused to be filed, testified, participated in, or otherwise assisted an investigation or a proceeding filed or about to be filed (with any knowledge of the employer) relating to—

“(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of the antitrust laws; or

“(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws.

“(2) LIMITATION ON PROTECTIONS.—Paragraph (1) shall not apply to any covered individual if—

“(A) the covered individual planned and initiated a violation or attempted violation of the antitrust laws;

“(B) the covered individual planned and initiated a violation or attempted violation of another criminal law in conjunction with a violation or attempted violation of the antitrust laws; or

“(C) the covered individual planned and initiated an obstruction or attempted obstruction of an investigation by the Department of Justice of a violation of the antitrust laws.

“(3) DEFINITIONS.—In this section:

“(A) ANTITRUST LAWS.—The term ‘antitrust laws’ means section 1 or 3 of the Sherman Act (15 U.S.C. 1, 3).

“(B) COVERED INDIVIDUAL.—The term ‘covered individual’ means an employee, contractor, subcontractor, or agent of an employer.

“(C) EMPLOYER.—The term ‘employer’ means a person, or any officer, employee, contractor, subcontractor, or agent of such person.

“(D) PERSON.—The term ‘person’ has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

“(4) RULE OF CONSTRUCTION.—The term ‘violation’, with respect to the antitrust laws, shall not be construed to include a civil violation of any law that is not also a criminal violation.

“(b) ENFORCEMENT ACTION.—

“(1) IN GENERAL.—A covered individual who alleges discharge or other discrimination by any employer in violation of subsection (a) may seek relief under subsection (c) by—

“(A) filing a complaint with the Secretary of Labor; or

“(B) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

“(2) PROCEDURE.—

“(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

“(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to any individual named in the complaint and to the employer.

“(C) BURDENS OF PROOF.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code.

“(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

“(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures in section 42121(b), the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

“(c) REMEDIES.—

“(1) IN GENERAL.—A covered individual prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the covered individual whole.

“(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

“(A) reinstatement with the same seniority status that the covered individual would have had, but for the discrimination;

“(B) the amount of back pay, with interest; and

“(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney's fees.

“(d) RIGHTS RETAINED BY WHISTLEBLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any covered individual under any Federal or State law, or under any collective bargaining agreement.”.

Mr. BENNET. I ask unanimous consent the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, 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 committee amendment in the nature of a substitute was agreed to.

The bill (S. 42), as amended, was ordered to be engrossed for a third read-

ing, was read the third time, and passed.

#### RECOGNIZING THE FESTIVAL OF DIWALI

Mr. BENNET. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 277, and the Senate proceed to its immediate consideration.

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. 277) recognizing the religious and historical significance of the festival of Diwali.

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

Mr. BENNET. 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. 277) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 30, 2013, under “Submitted Resolutions.”)

#### AUTHORIZING REVISED EDITION OF THE STANDING RULES

Mr. BENNET. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 285, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 285) authorizing the Committee on Rules and Administration to prepare a revised edition of the Standing Rules of the Senate as a Senate document.

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

Mr. BENNET. Mr. President, I ask unanimous consent the 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 resolution (S. Res. 285) was agreed to.

(The resolution is printed in today's RECORD under “Submitted Resolutions.”)

#### MEASURE READ THE FIRST TIME—H.R. 3204

Mr. BENNET. Mr. President, I understand that H.R. 3204 has been received from the House and is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 3204) to amend the Federal Food, Drug and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Mr. BENNET. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

#### ORDERS FOR TUESDAY, NOVEMBER 5, 2013

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, November 5, 2013; 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 resume consideration of the motion to proceed to S. 815, the Employee Non-Discrimination Act postclosure, and that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; and finally, that all time during adjournment, recess, and morning business count postclosure on the motion to proceed to S. 815.

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

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

Mr. BENNET. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:12 p.m., adjourned until Tuesday, November 5, 2013, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate November 4, 2013:

##### THE JUDICIARY

GREGORY HOWARD WOODS, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

DEBRA M. BROWN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI.