

families for children in the foster care system;

Whereas since the first National Adoption Day in 2000, nearly 45,000 children have joined forever families during National Adoption Day;

Whereas in 2012, a total of 390 events were held in 47 States and the District of Columbia, finalizing the adoptions of 4,615 children from foster care and celebrating an additional 500 adoptions finalized during November or earlier in the year; and

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month, and National Adoption Day is on November 23, 2013; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and all throughout the year.

SENATE CONCURRENT RESOLUTION 25—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR ACTIVITIES ASSOCIATED WITH THE CEREMONY TO AWARD THE CONGRESSIONAL GOLD MEDAL TO NATIVE AMERICAN CODE TALKERS

Mr. JOHNSON of South Dakota (for himself and Mr. INHOFE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 25

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR GOLD MEDAL CEREMONY FOR NATIVE AMERICAN CODE TALKERS.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on November 20, 2013, for a ceremony to award the Congressional Gold Medal to Native American code talkers. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2024. Mr. VITTER submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table.

SA 2025. Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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 2026. Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2027. Mr. INHOFE (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S.

1197, supra; which was ordered to lie on the table.

SA 2028. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2029. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2030. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2031. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2024. Mr. VITTER submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ TRANSPARENCY OF COVERAGE DETERMINATION.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Chief Administrative Officer of the House of Representatives and the Financial Clerk of the Senate shall make publically available the determinations of each member of the House of Representatives and each Senator, as the case may be, regarding the designation of their respective congressional staff (including leadership and committee staff) as “official” for purposes of requiring such staff to enroll in health insurance coverage provided through an Exchange as required under section 1312(d)(1)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(1)(D)), and the regulations relating to such section.

(b) FAILURE TO SUBMIT.—The failure by any member of the House of Representatives or Senator to designate any of their respective staff, whether committee or leadership staff, as “official” (as described in subsection (a)), shall be noted in the determination made publically available under subsection (a) along with a statement that such failure permits the staff involved to remain in the Federal Employee Health Benefits Program.

(c) PRIVACY.—Nothing in this Act shall be construed to permit the release of any individually identifiable information concerning any individual, including any health plan selected by an individual.

SA 2025. Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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:

On page 130, beginning on line 3, strike “SKILLS AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS AND LICENSES” and insert “ELIGIBILITY, SKILLS, AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS, CREDENTIALS, AND LICENSES”.

On page 130, line 19, strike “skills and training” and insert “eligibility, skills, and training”.

On page 131, line 11, insert “eligibility and” after “including”.

On page 132, line 15, insert “in connection with military occupational specialties” before the period.

SA 2026. Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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 A of title X, add the following:

SEC. 1003. SENSE OF THE SENATE REGARDING REPORTING ON THE LONG-TERM BUDGETARY EFFECTS OF SEQUESTRATION.

(a) FINDINGS.—Congress finds that—

(1) the reductions in discretionary appropriations and direct spending accounts under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) (in this section referred to as “sequestration”) were never intended to take effect;

(2) the readiness of the Nation’s military is weakened by sequestration;

(3) sequestration has budgetary and cost impacts beyond the programmatic level; and

(4) there is limited information about these indirect costs to the Federal Government.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Office of Management and Budget should establish a task force to report on the long-term budgetary costs and effects of sequestration, including on procurement activities and contracts with the Federal Government.

SA 2027. Mr. INHOFE (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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:

Strike section 1032.

SA 2028. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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:

Strike section 1033 and insert the following:

SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated by this Act for fiscal year 2014 may

be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SA 2029. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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:

Strike section 1031 and insert the following:

SEC. 1031. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense for fiscal year 2014 to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1), or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the

risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SA 2030. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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 D of title X, add the following:

SEC. 1035. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for fiscal year 2014 by this Act or any other Act may be used to construct or modify any

facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 2031. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, to authorize appropriations for fiscal year 2014 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 D of title VI, add the following:

SEC. 646. SPECIAL ASSISTANCE FOR GOLD STAR SPOUSES AND DEPENDENTS.

(a) **GOLD STAR FAMILY ADVOCATES.**—

(1) **ADVOCATES REQUIRED.**—Each Secretary of a military department shall designate for each Armed Force under the jurisdiction of such Secretary a member of such Armed Force or civilian employee of such military department to act as an advocate for spouses and dependents of members of such Armed Force (including members of the National Guard or Reserve of such Armed Force, as applicable) who die on active duty in the Armed Forces. The individual so designated shall be known as the “Gold Star Advocate” for the Armed Force concerned.

(2) **DUTY AS OMBUDSMAN.**—An individual designated as a Gold Star Advocate for an Armed Force pursuant to paragraph (1) shall serve as the ombudsman for spouses and dependents of members of such Armed Force who die on active duty in the Armed Forces with respect to complaints regarding casualty assistance or receipt of benefits authorized by law for spouses and dependents of members of the Armed Forces who die on active duty in the Armed Forces. In performing such duty, an individual may do the following:

(A) Address complaints by spouses and dependents, and provide support, regarding such casualty assistance or receipt of such benefits.

(B) Make reports to appropriate officers or officials in the Department of Defense or the military department concerned regarding resolution of such complaints, including recommendations regarding the settlement of claims with respect to such benefits, as appropriate.

(C) Perform such other actions as the Secretary of the military department concerned considers appropriate.

(b) **TRAINING FOR CASUALTY ASSISTANCE PERSONNEL.**—

(1) **TRAINING PROGRAM REQUIRED.**—The Secretary of Defense shall implement a stand-

ardized comprehensive training program on casualty assistance for the following personnel of the Department of Defense:

(A) Casualty assistance officers.

(B) Casualty assistance calls officers.

(C) Casualty assistance representatives.

(2) **GENERAL ELEMENTS.**—The training program required by paragraph (1) shall include training designed to ensure that the personnel specified in that paragraph provide spouses of members of the Armed Forces who die on active duty in the Armed Forces with accurate information on the benefits to which they are entitled and other appropriate casualty assistance following the death of such members on active duty.

(3) **SERVICE-SPECIFIC ELEMENTS.**—The Secretary of the military department concerned may, in coordination with the Secretary of Defense, provide for the inclusion in the training program required by paragraph (1) that is provided to casualty assistance personnel of such military department such elements of training that are specific or unique to the requirements or particulars of the Armed Forces under the jurisdiction of such military department as the Secretary of the military department concerned considers appropriate.

(4) **FREQUENCY OF TRAINING.**—Training shall be provided under the program required by paragraph (1) not less often than annually.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. WARREN. 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 13, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The Role of Manufacturing Hubs in a 21st Century Innovation Economy.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 13, 2013, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 13, 2013, at 2 p.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Judicial Nominations.”

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on November 13, 2013, at 9:30 a.m. in room 428A of the Russell Senate Office build-

ing to conduct a roundtable entitled “Serving Our Service Members: A Review of Programs for Veteran Entrepreneurs.”

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

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY AND THE LAW

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology and the Law, be authorized to meet during the session of the Senate on November 13, 2013, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Surveillance Transparency Act of 2013.”

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Teresa Danso-Danquah, Emily Flores, and Charles Hayes of my staff be granted floor privileges for the duration of today’s session.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent for my intern, Bruce Lehman, to have the privileges of the floor for the balance of the day.

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

Mr. SCHATZ. Mr. President, I ask unanimous consent to offer floor privileges to my staffer, Michael Inacay, for the remainder of the evening.

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

NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK

Mr. BEGICH. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 293, which was submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 293) designating the week beginning November 18, 2013 as “National Tribal Colleges and Universities Week.”

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

Mr. BEGICH. I ask unanimous consent 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. 293) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. BEGICH. Mr. President, I ask unanimous consent the Senate proceed