

reduce the deficit. In order to address this fiscal crisis, I think Congress must enact basic structural changes to entitlement programs that will strengthen and preserve these programs for future generations while protecting current participants. Without real tangible reform and cuts in Federal spending, we will bankrupt the country. At the same time, we need to ensure that any of those policies we put in place do not result in a disproportionate impact on our rural health care system or restrict patients' access to the care they need. As I started saying today, this is going to be an uphill battle. But I, for one, am ready to lead the charge.

As a member of both the Finance and HELP Committees, as well as the co-chair of the Rural Health Caucus, I have tried to be a leader in the discussion about the need to address the entire health system.

I have made it a point that within our health care system discussions, we need to talk about the differences between our rural areas and the care and treatment provided in those rural settings and their urban counterparts. We need to address common misconceptions about funding challenges in rural communities before taking a Lizzie Borden ax to the funding streams.

Throughout my career in public office, I have made it a point to always fight for Kansas and rural health care providers. This has been one of my top priorities in Congress. I understand the important role of rural health in America and continue to advocate for policies that protect and preserve these benefits.

Most recently, the Centers for Medicare and Medicaid Services—CMS—have made some changes that will be particularly harmful to rural health. More specifically, their changes will force doctors into a guessing game about their patients. The condition of payment changes CMS is making would require the physician, and no other level provider, to not only predict at the time of admission to the critical access hospital that the patient will require hospital care for more than two midnights, but also that the patient can be cared for and discharged in less than 96 hours. This is an extremely narrow CMS window for the physician to make a determination about that patient's future needs—extremely difficult, if not impossible. A physician may certify that they expect the patient to be treated and discharged within 96 hours, but, unfortunately, the patient's situation may change and they may need to be kept longer. The physician's concern will be that they have failed to meet the terms of their certification according to CMS. This is likely to lead to premature discharges and readmissions, both of which CMS has taken actions to minimize.

A CEO for one of our critical access hospitals in Council Grove, KS, writes:

This new "condition of payment" rule causes potential conflicts with what is best for the patient, causes issues for the physi-

cian in having to predict outcomes at admission in complex cases, and may cause increased expense for medically unnecessary transfers to more costly care centers.

Today I am introducing the Critical Access Hospital Relief Act of 2014. My bipartisan legislation would remove the condition of payment for critical access hospitals that requires a physician to certify that each patient will be discharged or transferred in less than 96 hours. This is another example of having to tell CMS, "If it isn't broken, then there is no need to fix it." We need to focus on ensuring rural patients have access to their health system, not coming up with bureaucratic ways to make it harder for patients in rural areas to get quality care from their doctors.

I urge my colleagues to cosponsor the Critical Access Hospital Relief Act of 2014.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 360—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. ONSTAD

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

#### S. RES. 360

Whereas, in the case of *United States v. Onstad*, Crim. No. 13-65, pending in the United States District Court for the District of Montana, the prosecution has requested the production of testimony from Tom Lopach, Chief of Staff for United States Senator Jon Tester;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Tom Lopach, Chief of Staff for United States Senator Jon Tester, and any other current or former employee of the Senator's office from whom relevant testimony may be sought, are authorized to testify in the case of *United States v. Onstad*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of Senator Tester's office in connection with the production of testimony authorized in section one of this resolution.

### SENATE RESOLUTION 361—RECOGNIZING THE THREATS TO FREEDOM OF THE PRESS AND EXPRESSION IN THE PEOPLE'S REPUBLIC OF CHINA AND URGING THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA TO TAKE MEANINGFUL STEPS TO IMPROVE FREEDOM OF EXPRESSION AS FITTING OF A RESPONSIBLE INTERNATIONAL STAKEHOLDER

Mr. CARDIN (for himself, Mr. RUBIO, Mr. MENENDEZ, and Mr. CORKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

#### S. RES. 361

Whereas, in its 2013 World Press Freedom Index, Reporters Without Borders ranked China 173rd out of 179 countries in terms of press freedoms;

Whereas China's media regulator, the State Administration of Press, Publication, Radio, Film and Television, enforces a system of strict controls, including an extensive licensing system and government supervision by the Chinese Communist Party;

Whereas domestic radio and television broadcast journalists in China must pass a government-sponsored exam that tests their basic knowledge of Marxist views of news and communist party principles;

Whereas this state supervision of the media distorts and blocks free and open coverage of key issues including Tibet, political unrest, and corruption by government officials, as well as Chinese foreign policy;

Whereas China's media regulator officially bans journalists from using foreign media reports without authorization and forbids news editors from reporting information online that has not been verified through official channels;

Whereas the Congressional-Executive Commission on China (CECC) has documented several instances of reprisals against and harassment of independent journalists and newspaper staff by the Government of the People's Republic of China, including Chinese journalists working for foreign-based websites and newspapers;

Whereas the Foreign Correspondents' Club of China has noted that foreign journalists continue to face challenging work conditions, visa denials or delays, and various forms of harassment, and 70 percent of journalists surveyed in the FCCC's 2013 annual survey stated that "conditions have worsened or stayed the same as the year before";

Whereas, according to the CECC, authorities in China appeared to maintain or enhance policies to block and filter online content, particularly sensitive information about rights activists, official corruption, or collective organizing;

Whereas China is the world's second largest economy and the United States' second largest trading partner and has been a member of the World Trade Organization since 2001;

Whereas China's growing economic importance increases the need for the Government of the People's Republic of China to act transparently and respect international trading regulations; and

Whereas official government censorship denies the people of China, including nearly 600,000,000 Internet users, their freedom of expression, undermines confidence in China's safety standards, and causes increasingly serious economic harm to private firms that rely on unfettered access to social media as a business model: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the importance of freedom of the press to efforts by the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world;

(2) expresses concern about the threats to freedom of the press and expression in the People's Republic of China;

(3) condemns actions taken by the Government of the People's Republic of China to suppress freedom of the press, including the increased harassment of Chinese and international journalists through denial of visas, harassment of sources, physical threats, and other methods; and

(4) urges the President to use all appropriate instruments of United States influence to support, promote, and strengthen principles, practices, and values that promote the free flow of information to the people of China without interference or discrimination, including through the Internet and other electronic media.

## NOTICES OF HEARINGS

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, "Offshore Tax Evasion: The Effort to Collect Billions in Unpaid Taxes on Hidden Offshore Accounts." The hearing will continue the Subcommittee's examination of tax haven bank facilitation of U.S. tax evasion, focusing on the status of efforts to hold Swiss banks and their U.S. clients accountable for billions of dollars in unpaid U.S. taxes. Witnesses will include representatives from a Swiss bank and the U.S. Department of Justice. A witness list will be available Monday, February 24, 2014.

The Subcommittee hearing has been scheduled for Wednesday, February 26, 2014, at 9:30 a.m., in room G-50 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

### COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, February 26, 2014, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct an oversight hearing to receive testimony on "Early Childhood Development and Education in Indian Country: Building a Foundation for Academic Success."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, February 26, 2014, at a time to be determined, in room 216 of the Capitol Building to mark up the nominations of Vivek Hallegere Murthy, of

Massachusetts, to serve as Surgeon General of the Public Health Service; Portia Y. Wu, of the District of Columbia, to serve as Assistant Secretary of Labor for Employment and Training; Nomination of Christopher P. Lu, of Virginia, to serve as Deputy Secretary of Labor; Heather Lynn MacDougall, of Florida, to serve as a Member of the Occupational Safety and Health Review Commission; and Massie Ritsch, of the District of Columbia, to serve as Assistant Secretary for Communications and Outreach, Department of Education; as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet on February 27, 2014, at 10 am, in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Promoting College Access and Success For Students With Disabilities."

For further information regarding this meeting, please contact Alyssa Mowitz of the committee staff on (202) 228-3453.

### SUBCOMMITTEE ON WATER AND POWER

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 27, 2014, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing will be to hear testimony on the following measures:

S. 1419, the Marine and Hydrokinetic Renewable Energy Act of 2013;

S. 1771, the Crooked River Collaborative Water Security Act of 2013;

S. 1800, the Bureau of Reclamation Transparency Act;

S. 1946, a bill to amend the Reclamation Safety of Dams Act of 1978 to modify the authorization of appropriations;

S. 1965, a bill to amend the East Bench Irrigation District Water Contract Extension Act to permit the Secretary of the Interior to extend the contract for certain water services;

S. 2010 and H.R. 1963, the Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act;

S. 2019, SECURE Water Amendments Act of 2014; and,

S. 2034, the Reclamation Title Transfer Act of 2014.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to John\_Assini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or John Assini at (202) 224-9313.

## PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Lauren Sarkesian and Bruno DiMascio, interns with my personal staff, be granted floor privileges for today's session.

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

## AUTHORIZING AUTHORITY

Mr. PRYOR. I ask unanimous consent the Senate proceed to the consideration of S. Res. 360, 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. 360) to authorize testimony and representation in United States v. Onstad.

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

Mr. REID. Mr. President, this resolution concerns a request for testimony and representation in a Federal criminal action pending in Montana Federal district court. The defendant is charged with, among other offenses, conspiring to defraud the United States by making fraudulent statements in connection with a grant of Federal money for a project serving disadvantaged youth.

The prosecution has requested the production of testimony from Senator TESTER's chief of staff, who has information relevant to the charged offenses, which include the charge that the defendant conspired to represent falsely to Federal authorities that employees of the Senator's office were contributing in-kind services to the youth project at issue. Senator TESTER would like to cooperate with this request by providing relevant employee testimony from his office.

The enclosed resolution would authorize the production of testimony from the Senator's chief of staff and any other current or former employee of the Senator's office from whom relevant testimony may be had, with representation by the Senate legal counsel.

Mr. PRYOR. 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, with no intervening action or debate.

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

The resolution (S. Res. 360) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## ORDERS FOR TUESDAY, FEBRUARY 25, 2014

Mr. PRYOR. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, February 25, 2014; that following the prayer