

## SUBCOMMITTEE ON OVERSIGHT, FEDERAL RIGHTS, AND AGENCY ACTION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Federal Rights, and Agency Action, be authorized to meet during the session of the Senate, on March 27, 2014, at 3 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Access to Justice for Those Who Serve."

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

## PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Kristopher Sharp, a fellow in Senator MURRAY's office, be granted floor privileges for the remainder of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHANNIS. Mr. President, I ask unanimous consent that privileges of the floor be granted to Hope Jarkowski, a member of Senator CRAPO's staff.

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

## EXECUTIVE SESSION

## NOMINATION DISCHARGED

Mr. KING. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the commerce committee be discharged from further consideration of PN1059; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

## DEPARTMENT OF TRANSPORTATION

KATHRYN B. THOMSON, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION.

## LEGISLATIVE SESSION

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

## UNITED STATES INTERNATIONAL PROGRAMMING TO UKRAINE AND NEIGHBORING REGIONS

Mr. KING. I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2183, introduced earlier today.

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

The assistant legislative clerk read as follows:

A bill (S. 2183) entitled "United States International Programming to Ukraine and Neighboring Regions."

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

Mr. LEAHY. Mr. President, the Senate has been asked to take up and pass by unanimous consent House legislation on U.S. international programming to Ukraine and neighboring regions. This House bill directs the Broadcasting Board of Governors to increase programming in the Voice of America and Radio Free Europe/Radio Liberty Ukrainian, Balkan, Russian, and Tatar language services, and authorizes up to an additional \$10,000,000 in fiscal year 2014 for this purpose.

We all support Ukraine's democracy and territorial integrity, and want to provide credible news and information to people in Ukraine whose access to uncensored information has been blocked by the Russian Government. I intend to ensure that current programming for Ukraine, Russia, and neighboring regions is not reduced in fiscal year 2014. But I want to remind Senators, as well as Members of the House of Representatives, that the Congress already enacted the fiscal year 2014 funding level for U.S. international broadcasting to Ukraine and other regions of the world.

The House bill we are adopting today does not appropriate additional funds. Nor does it provide offsets for the cost of additional broadcasting to Ukraine, Russia or the other regions specified. As drafted it is an unfunded mandate, which as a practical matter has no effect unless we are to reduce broadcasting to other critical countries or regions, such as Burma and Tibet, which I doubt Senators of either party would support.

Consequently, this bill should be interpreted as authorizing funds to be appropriated for the Voice of America and Radio Free Europe/Radio Liberty to Ukraine and neighboring countries, consistent with the role of the House authorizing committee from which it originated. As Chairman of the Department of State and Foreign Operations Subcommittee that funds international broadcasting programs, I will work with the Broadcasting Board of Governors to ensure that additional funds are appropriated for these language services in fiscal year 2015 to enable them to sustain and strengthen critical broadcasts and programming to Ukraine, Russia, and neighboring regions.

Mr. KING. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

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

The bill (S. 2183) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2183

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. FINDINGS AND DECLARATIONS.

(a) Congress finds and declares the following:

(1) The Russian Government has deliberately blocked the Ukrainian people's access to uncensored sources of information and has provided alternative news and information that is both inaccurate and inflammatory;

(2) United States international programming exists to advance the United States interests and values by presenting accurate and comprehensive news and information, which is the foundation for democratic governance;

(3) The opinions and views of the Ukrainian people, especially those people located in the eastern regions and Crimea, are not being accurately represented in Russian dominated mass media;

(4) Russian forces have seized more than five television stations in Crimea and taken over transmissions, switching to a 24/7 Russian propaganda format; this increase in programming augments the already robust pro-Russian programming to Ukraine;

(5) United States international programming has the potential to combat this anti-democratic propaganda.

(b) PROGRAMMING.—Radio Free Europe/Radio Liberty (RFE/RL), Incorporated, and the Voice of America service to Ukraine and neighboring regions shall—

(1) provide news and information that is accessible, credible, and accurate;

(2) emphasize investigative and analytical journalism to highlight inconsistencies and misinformation provided by Russian or pro-Russian media outlets;

(3) prioritize programming to areas where access to uncensored sources of information is limited or non-existent, especially populations serviced by Russian supported media outlets;

(4) increase the number of reporters and organizational presence in eastern Ukraine, especially in Crimea;

(5) promote democratic processes, respect for human rights, freedom of the press, and territorial sovereignty; and

(6) take necessary preparatory steps to continue and increase programming and content that promotes democracy and government transparency in Russia.

(c) PROGRAMMING SURGE.—RFE/RL, Incorporated, and Voice of America programming to Ukraine and neighboring regions shall—

(1) prioritize programming to eastern Ukraine, including Crimea, and Moldova, and to ethnic and linguistic Russian populations, as well as to Tatar minorities;

(2) prioritize news and information that directly contributes to the target audiences' understanding of political and economic developments in Ukraine and Moldova, including countering misinformation that may originate from other news outlets, especially Russian supported news outlets;

(3) provide programming content 24 hours a day, seven days a week to target populations, using all available and effective distribution outlets, including—

(A) at least 8 weekly hours of total original television and video content in Ukrainian, Russian, and Tatar languages, not inclusive of live video streaming coverage of breaking news, to be distributed on satellite, digital, and through regional television affiliates by the Voice of America; and

(B) at least 14 weekly hours the total audio content in Ukrainian, Russian, and Tatar languages to be distributed on satellite, digital, and through regional radio affiliates of RFE/RL, Incorporated;

(4) expand the use, audience, and audience engagement of mobile news and multimedia platforms by RFE/RL, Incorporated, and the Voice of America, including through Internet-based social networking platforms; and

(5) partner with private sector broadcasters and affiliates to seek and start co-production for new, original content, when possible, to increase distribution.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for fiscal year 2014, in addition to funds otherwise made available for such purposes, up to \$10,000,000 to carry out programming in the Ukrainian, Balkan, Russian, and Tatar language services of RFE/RL, Incorporated, and the Voice of America, for the purpose of bolstering existing United States programming to the people of Ukraine and neighboring regions, and increasing programming capacity and jamming circumvention technology to overcome any disruptions to service.

(e) **REPORT.**—Not later than 15 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the Committees on Foreign Affairs and Appropriations of the House of Representatives and the Committees on Foreign Relations and Appropriations of the Senate a detailed report on plans to increase broadcasts pursuant to subsections (a) and (b).

#### MILITARY AND VETERANS CAREGIVER MONTH

Mr. KING. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 395.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 395) designating the month of April 2014 as "Military and Veterans Caregiver Month."

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

Mr. KING. Mr. President, I ask unanimous consent 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. 395) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Tuesday, March 25, 2014, under "Submitted Resolutions.")

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Republican leader, pursuant to Public Law 105-292, as amended by Public Law 106-55, Public Law 107-228, and Public Law 112-75, appoints the following individuals to the United States Commission on International Religious Freedom: Mary Ann Glendon of Massachusetts, and M. Zuhdi Jasser of Arizona.

#### ORDERS FOR MONDAY, MARCH 31, 2014

Mr. KING. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 2 p.m., Monday, March 31, 2014; 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 proceed to the consideration of H.R. 4302 under the previous order; that at 5 p.m. the Senate proceed to executive session to consider the Owens nomination, with the time until 5:30 p.m. equally divided and controlled between the two leaders or their designees.

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

#### PROGRAM

Mr. KING. Mr. President, there will be at least two rollcall votes on Monday at 5:30 p.m.

#### ORDER FOR ADJOURNMENT

Mr. KING. Mr. President, if there is no business to come before the Senate, I ask unanimous consent that it adjourn following the remarks of the Senator from Alaska, Ms. MURKOWSKI.

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

The Senator from Alaska.

#### GRID SECURITY

Ms. MURKOWSKI. Mr. President, first, I thank my friend from Maine and appreciate the conversations we have had in this past week. He has taken a journey to the north that most of us only dream about. He is engaged in issues I care deeply about as it relates to the Arctic. Although I know that was not the discussion my colleague was speaking to earlier, I just wanted to note while my friend from Maine was still on the floor that I look forward to working on these issues of great importance not only to my State but truly to our entire Nation and Arctic Nation.

I come to the floor this evening to speak very briefly about the physical security of our Nation's power grid, which is a very important subject. Recently, there were stories in the Wall Street Journal about an attack on the California Metcalf substation that happened last April and has drawn considerable attention. While those stories about that attack highlighted potential vulnerabilities, my principal focus will be to highlight not only the safeguards that are already in place to protect the Nation's bulk power system but also to announce a step that I believe is now necessary to prevent the undue release of sensitive nonpublic information.

First and foremost—and I think this is important for people to recognize—it is important to remember that during the Metcalf incident, the PG&E system did not lose power. In fact, it was an

incident that many didn't know had taken place until months after because there was no loss of power. I think this fact emphasizes the grid's resiliency and the importance of building redundancy into the bulk power system.

As usual, the electric industry has learned from and responded to—appropriately responded—the California incident. At the end of last year the Departments of Energy and Homeland Security—along with the North American Electric Reliability Corporation, or NERC, along with the Federal Regulatory Commission, or FERC, and the FBI began a cross-country tour of 10 cities in order to brief utility operators and local law enforcement on the lessons that were learned from Metcalf. Government officials discussed mitigation strategies and meeting participants were able to develop some pretty important relationships between first responders and the industry.

In fact, as a result of the mandatory requirements of the 2005 Energy Policy Act, the electric industry has invested significant resources to address both physical and cyber security threats and vulnerabilities. Through partnerships with various Federal agencies, the industry is keenly focused on preparation, prevention, response, and recovery.

For example, NERC holds yearly security conferences and a grid exercise which tests and prepares industry on physical and cyber security events. Yet former FERC Chairman Jon Wellinghoff was quoted in the Wall Street Journal calling the Metcalf incident "the most significant incident of domestic terrorism involving the grid that has ever occurred."

In my view, comments such as these are certainly sensational. Depending on the factual context, they can actually be reckless.

Although the topic of physical security warrants discussion—absolutely warrants discussion and debate—we have to be prudent about information for the public sphere. Many government leaders are privy to confidential and sensitive information that if not treated carefully could provide a roadmap to terrorists or other bad actors about our vulnerabilities. At a minimum, government officials have a duty to safeguard sensitive information that they learn in their official capacity.

A story that appeared in the Wall Street Journal on March 13 was, I believe, shocking because it included sensitive information about the Nation's energy infrastructure that the newspaper said came from documents that were created at FERC. Although the Wall Street Journal did not name specific facilities at risk, it did detail the geographic regions and the number of facilities that if simultaneously disabled could cause serious harm. The March 13 article claimed the potential for a national blackout.