

from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2018

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2018, a bill to provide for the use of hand-propelled vessels in Yellowstone National Park, Grand Teton National Park, and the National Elk Refuge, and for other purposes.

S. 2042

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2042, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 2113

At the request of Mr. COBURN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2113, a bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

S. 2152

At the request of Ms. HEITKAMP, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2152, a bill to direct Federal investment in carbon capture and storage and other clean coal technologies, and for other purposes.

S. 2154

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2154, a bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

S. 2190

At the request of Mr. BLUNT, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2190, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

S. 2206

At the request of Mr. COBURN, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 2206, a bill to streamline the collection and distribution of government information.

S. 2213

At the request of Mrs. FISCHER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2213, a bill to replace the Director of the Bureau of Consumer Financial Protection with a five-person Commission.

S. 2255

At the request of Mr. MCCAIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2255, a bill to remove the Kurdistan Democratic Party and the Patriotic Union of Kurdistan from treatment as terrorist organizations and for other purposes.

S. 2270

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2270, a bill to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 2295

At the request of Mr. LEAHY, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Michigan (Ms. STABENOW), the Senator from Iowa (Mr. HARKIN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2295, a bill to establish the National Commission on the Future of the Army, and for other purposes.

S. 2302

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2302, a bill to provide for a 1-year extension of the Afghan Special Immigrant Visa Program, and for other purposes.

S. 2304

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2304, a bill to amend the charter school program under the Elementary and Secondary Education Act of 1965.

S. 2305

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2305, a bill to amend the method by which the Social Security Administration determines the validity of marriages under title II of the Social Security Act.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

AMENDMENT NO. 3009

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 3009 intended to be proposed to S. 2262, a bill to promote energy savings in residential buildings and industry, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WHITEHOUSE:

S. 2317. A bill to restrict confidentiality agreements that prohibit the disclosure of information relating to hazards to public safety or health, and for other purposes; to the Committee on the Judiciary.

Mr. WHITEHOUSE. Mr. President, today I am pleased to introduce the Safety over Secrecy Act, which prohibits courts from enforcing confidentiality agreements in the settlement of civil suits involving hazards to public health and safety. This bill will ensure that plaintiffs in such suits do not have to remain silent about their experiences as a condition of settling their disputes.

While confidentiality agreements can be useful tools to protect sensitive information and trade secrets, too often they are used to hide important safety concerns from regulators, policymakers, the news media, public health experts, and the general public. Over the past 20 years, we have learned of numerous cases where court-approved secrecy has shielded serious public health and safety dangers from the public—putting hundreds, if not thousands, of lives at risk. These cases have involved hydraulic fracturing, or “fracking,” asbestos, defective auto components, and “adverse incidents” from drugs.

Typically in these cases, victims face large corporations that can spend unlimited amounts of money defending lawsuits and prolonging their resolution. Faced with mounting litigation expenses and medical bills, plaintiffs often seek to settle their suits. In exchange for damages, they are forced to agree to provisions that prohibit them from discussing their cases or revealing information disclosed during litigation. Defendants are thus able to keep damaging information from getting out. As a result the public, as well as regulatory agencies, remain unaware of the risks.

Let us take fracking, where drillers from Pennsylvania to Arkansas and Wyoming to Texas have entered into cash settlements or property buyouts with individuals who claim fracking has contaminated their water and polluted their air. In the vast majority of these cases, the cost of the awards has been the plaintiffs’ silence. As Aaron Bernstein, associate director of the Center for Health and the Global Environment at the Harvard School of Public Health, put it in an interview, non-disclosure agreements “have interfered with the ability of scientists and public health experts to understand what is at stake” in the country’s quickly evolving energy infrastructure.

Perhaps the most notorious case of fracking hush money is the Hallowich case. In that case, Chris and Stephanie Hallowich’s dream house—built on acres of land in southwestern Pennsylvania—turned out to be sitting atop the Marcellus Shale, one of the biggest fracking operations in the country. The previous land owner had leased the mineral rights to various gas companies. Soon after moving in, Chris,

Stephanie, and their young children began experiencing headaches, nose bleeds, burning eyes, and sore throats. After complaining for three years of what they concluded were the side effects of contaminated air and water, the Hallowiches brought suit. Without accepting responsibility for any health effects, the companies agreed to pay the Hallowiches \$750,000 so that they could move off the property, in exchange for the Hallowiches' promise to remain silent about the case. The case gained international attention when the Pittsburgh Gazette obtained an unsealed settlement transcript 2 years later and discovered that the Hallowiches' 7 and ten year-old children had been gagged for life along with their parents under the confidentiality agreement. Needless to say, these gag orders make it difficult to challenge industry claims about the safety of the fracking process. Fracking is just one of many areas where defendants impose secrecy as a condition of settlement.

Under current law, judges are not specifically required to consider the public interest when determining the

enforceability of confidentiality agreements. In cases involving hazards to public health and safety, and only in those cases, this bill would change that, and would require judges to balance a party's specific interest in confidentiality against the public interest in disclosure of information when approving or enforcing confidentiality agreements. My bill would not prohibit secrecy agreements across the board because there are appropriate uses for such agreements, including protecting trade secrets and other confidential company and personal information. Given its narrow scope, this bill would not place undue burdens on our judges or judiciary system.

In introducing the Safety over Secrecy Act, I want to recognize former Senator Kohl and his Sunshine in Litigation Act, which he introduced in various forms between 1995 and 2011. That bill, which I was proud to support in the Judiciary Committee, was a broader version of the legislation I have just introduced. I supported that bill when Senator Kohl introduced it, and I plan to offer my full support when it is introduced again in this chamber.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3055. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3055.** Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 2262, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

### SEC. \_\_\_\_ SENSE OF SENATE ON GLOBAL CLIMATE CHANGE.

It is the sense of the Senate that—

(1) human activity contributes to global climate change; and

(2) reasonable steps should be taken (including actions under this Act and the amendments made by this Act) to reduce greenhouse gas pollution.

## FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

### CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2014

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Boozman:									
Germany .....	Euro .....		406.79						406.79
Turkey .....	Lira .....		150.00						150.00
Jordan .....	Dinar .....		405.41						405.41
United Arab Emirates .....	Dirham .....		576.00						576.00
Ethiopia .....	Birr .....		888.55						888.55
Rwanda .....	Franc .....		926.00						926.00
Cape Verde .....	Escudo .....		374.25						374.25
Senator Jon Tester:									
Cuba .....	Peso .....		124.00						124.00
Brian Ahlberg:									
Cuba .....	Peso .....		168.00						168.00
Senator Richard Durbin:									
Ukraine .....	Hryvnia .....		609.53						609.53
Max Gleischman:									
Ukraine .....	Hryvnia .....		579.01						579.01
Senator John Hoeven:									
Ukraine .....	Hryvnia .....		582.79						582.79
Tim Rieser:									
Cuba .....	Peso .....		176.00						176.00
United States .....	Dollar .....				925.00				925.00
Paul Grove:									
Thailand .....	Baht .....		421.04						421.04
Burma .....	Kyat .....		374.00						374.00
Cambodia .....	Riel .....		404.00						404.00
Turkey .....	Lira .....		215.22						215.22
Afghanistan .....	Afghani .....		56.00						56.00
Pakistan .....	Rupee .....		198.00						198.00
India .....	Rupee .....		970.66						970.66
United States .....	Dollar .....				7,313.41				7,313.41
Adam Yezerski:									
Thailand .....	Baht .....		451.03						451.03
Burma .....	Kyat .....		404.00						404.00
Cambodia .....	Riel .....		434.00						434.00
Turkey .....	Lira .....		215.22						215.22
Afghanistan .....	Afghani .....		56.00						56.00
Pakistan .....	Rupee .....		198.00						198.00
India .....	Rupee .....		970.65						970.65
United States .....	Dollar .....				7,313.41				7,313.41
* Delegation Expenses:									
Burma .....	Kyat .....		1,923.96		1,280.00				3,203.96
Cambodia .....	Riel .....		191.00		248.00				439.00
Cape Verde .....	Escudo .....		357.54		11.25				368.79
Cuba .....	Peso .....		40.00						40.00
Ethiopia .....	Birr .....		217.15		236.49				453.64
Georgia .....	Lari .....		284.11						284.11
India .....	Rupee .....		2,857.95		292.57				3,150.52
Jordan .....	Dinar .....		33.54		18.64				52.18