in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes.

S. 2510

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2510, a bill to establish a temporary limitation on the use of funds to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

S. RES. 447

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 447, a resolution recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 2515. A bill to ensure that Medicaid beneficiaries have the opportunity to receive care in a home and community-based setting; to the Committee on Finance.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being on objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2515

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Community Integration Act of 2014''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Supreme Court's 1999 decision in Olmstead v. L.C., 527 U.S. 581 (1999), held that the unnecessary segregation of individuals with disabilities is a violation of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(2) Under Olmstead, individuals generally have the right to receive their supports and services in home and community-based settings, rather than in institutional settings, if they so choose.

(3) Olmstead envisioned that States would provide appropriate long-term services and supports to individuals with disabilities through home and community-based services and end forced segregation in nursing homes and other institutions.

(4) While there has been progress in rebalancing State spending on individuals with disabilities in institutions as compared to home and community-based settings, more than 75 percent of States continue to spend the majority of their long-term care dollars on nursing homes and other institutional settings, and the number of individuals with disabilities under age 65 in nursing homes increased between 2008 and 2012.

(5) As of June 2013, there were more than 200,000 individuals younger than age 65 in nursing homes – almost 16 percent of the total nursing home population.

(6) Thirty-eight studies published from 2005 to 2012 concluded that providing services in home and community-based settings is less costly than providing care in a nursing home or other institutional setting.

(7) No clear or centralized reporting system exists to compare how effectively States are meeting the Olmstead mandate.

SEC. 3. ENSURING MEDICAID BENEFICIARIES MAY ELECT TO RECEIVE CARE IN A HOME AND COMMUNITY-BASED SETTING.

(a) IN GENERAL.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(1) in paragraph (80), by striking ''and'' at the end;

(2) in paragraph (81), by striking the period and inserting ''; and''; and

(3) by inserting after paragraph (81) the following new paragraph:

''(82) in the case of any individual with respect to whom there has been a determination that the individual requires the level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting—

''(A) provide the individual with the choice and opportunity to receive such care in a home and community-based setting, including rehabilitative services, assistance and support in accomplishing activities of daily living, instrumental activities of daily living, and health-related tasks, and assistance in acquiring, maintaining, or enhancing skills necessary to accomplish such activities, tasks, or services;

''(B) ensure that each such individual has an equal opportunity (when compared to the receipt and availability of nursing facility services) to receive care in a home and community-based setting, if the individual so chooses, by ensuring that the provision of such care in a home and community-based setting is widely available on a statewide basis for all such individuals within the State; and

''(C) meet the requirements of section 1904A (relating to the provision of care in a home and community-based setting).''.

(b) REQUIREMENTS FOR COMMUNITY CARE OPTIONS.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1904 the following new section:

''PROVISIONS RELATED TO HOME AND COMMUNITY-BASED CARE

''SEC. 1904A. (a) DEFINITIONS.—For purposes of this section, section 1902(a)(82), and section 1905(a)(4)(A):

''(1) ACTIVITIES OF DAILY LIVING.—The term 'activities of daily living' includes, but is not limited to, tasks such as eating, toileting, grooming, dressing, bathing, and transferring.

''(2) HEALTH-RELATED TASKS.—The term 'health-related tasks' means specific tasks related to the needs of an individual, including, but not limited to, bowel or bladder care, wound care, use and care of ventilators and feeding tubes, and the administration of medications and injections, which, in the opinion of the individual's physician, can be delegated to be performed by an attendant.

''(3) HOME AND COMMUNITY-BASED SETTING.—The term 'home and community-based setting' means, with respect to an individual who requires a level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, a setting that—

''(A) includes a house, apartment, townhouse, condominium, or similar public or private housing where the individual resides that—

''(i) is owned or leased by the individual or a member of the individual's family;

''(ii) ensures the individual's privacy, dignity, respect, and freedom from coercion; and

''(iii) maximizes the individual's autonomy and independence;

''(B) is integrated in, and provides access to, the general community in which the setting is located so that the individual has access to the community and opportunities to seek employment and work in competitive integrated settings, participate in community life, control and utilize personal resources, benefit from community services, and participate in the community in an overall manner that is comparable to that available to individuals who are not individuals with disabilities; and

''(C) has the services and supports that the individual needs in order to live as independently as possible.

''(4) INSTRUMENTAL ACTIVITIES OF DAILY LIVING.—The term 'instrumental activities of daily living' means activities related to living independently in the community and includes, but is not limited to, meal planning and preparation, managing finances, shopping for food, clothing, and other items, performing household chores, communicating by phone or other media, and traveling around and participating in the community.

''(5) PUBLIC ENTITY.—The term 'public entity' means a public entity as defined in subparagraphs (A) and (B) of section 201(1) of the Americans with Disabilities Act of 1990.

''(b) REQUIREMENTS FOR PROVIDING SERVICES IN HOME AND COMMUNITY-BASED SETTINGS.—With respect to the availability and provision of services under the State plan under this title, or under any waiver of State plan requirements (subject to section 3(d) of the Community Integration Act of 2014), in a home and community-based setting to any individual who requires a level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, any public entity that receives payment under the State plan or waiver for providing services to such an individual shall not—

''(1) impose or utilize policies, practices, or procedures, such as unnecessary requirements or arbitrary service or cost caps, that limit the availability of services in home and community-based settings to an individual with a disability (including individuals with the most significant disabilities) who need such services;

''(2) impose or utilize policies, practices, or procedures that limit the availability of services in a home and community-based setting (including assistance and support in accomplishing activities of daily living, instrumental activities of daily living, health-related tasks, and rehabilitative services) based on the specific disability of an otherwise eligible individual;

''(3) impose or utilize policies, practices, or procedures that arbitrarily restrict an individual with a disability from full and meaningful participation in community life;

''(4) impose or utilize policies, practices, or procedures that unnecessarily delay or restrict the provision of services in a home and community-based setting to any individual who requires such services;

''(5) fail to establish and utilize adequate payment structures to maintain a sufficient workforce to provide services in home and community-based settings to any individual who requires such services;

''(6) fail to provide information, on an ongoing basis, to help any individual who receives care in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or

other similarly restrictive or institutional setting, understand the individual's right to choose to receive such care in a home and community-based setting; or

''(7) fail to provide information to help any individual that requires the level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, prior to the individual's placement in such a facility or institution, understand the individual's right to choose to receive such care in a home and community-based setting.

''(c) PLAN TO INCREASE AFFORDABLE AND ACCESSIBLE HOUSING.—Not later than 180 days after the enactment of this section, each State shall develop a statewide plan to increase the availability of affordable and accessible private and public housing stock for individuals with disabilities (including accessible housing for individuals with physical disabilities and those using mobility devices).

''(d) AVAILABILITY OF REMEDIES AND PROCEDURES.—

''(1) IN GENERAL.—The remedies and procedures set forth in sections 203 and 505 of the Americans with Disabilities Act of 1990 shall be available to any person aggrieved by the failure of—

''(A) a State to comply with this section or section 1902(a)(82); or

''(B) a public entity (including a State) to comply with the requirements of subsection (b).

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit any remedy or right of action that otherwise is available to an aggrieved person under this title.

''(e) ENFORCEMENT BY THE SECRETARY.—

''(1) IN GENERAL.—The Secretary may reduce the Federal matching assistance percentage applicable to the State (as determined under section 1905(b)) if the Secretary determines that the State has violated the requirements of subsection (b).

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit any remedy or right of action that is otherwise available to the Secretary.

''(f) REPORTING REQUIREMENTS.—With respect to fiscal year 2016, and for each fiscal year thereafter, each State shall submit to the Administrator of the Administration for Community Living of the Department of Health and Human Services, not later than April 1 of the succeeding fiscal year, a report, in such form and manner as the Secretary shall require, that includes—

''(1) the total number of individuals enrolled in the State plan or under a waiver of the plan during such fiscal year that required the level of care provided in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, disaggregated by the type of facility or setting;

''(2) with respect to the total number described in paragraph (1), the total number of individuals described in that paragraph who received care in a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting, disaggregated by the type of facility or setting; and

''(3) with respect to the total number described in paragraph (2), the total number of individuals described in that paragraph who were transitioned from a nursing facility, intermediate care facility for the mentally retarded, institution for mental disease, or other similarly restrictive or institutional setting to a home and community-based setting, disaggregated by the type of home and community-based setting.''.

(c) INCLUSION AS A MANDATORY SERVICE.—Section 1905(a)(4)(A) of the Social Security Act (42 U.S.C. 1396d(a)(4)(A)) is amended by striking ''other than'' and inserting ''including similar services such as rehabilitative services and assistance and support in accomplishing activities of daily living, instrumental activities of daily living, and health-related tasks, that are provided, at the individual's option, in a home and community-based setting (as defined in section 1904A(a)(3)), but not including''.

(d) APPLICATION TO WAIVERS.—Notwithstanding section 1904A of the Social Security Act (as added by subsection (b)), such section, and sections 1902(a)(82), and 1905(a)(4)(A) of the Social Security Act (42 U.S.C. 1396 et seq.), as amended by subsections (a) and (c), respectively, shall not apply to any individuals who are eligible for medical assistance for home and community-based services under a waiver under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n) and who are receiving such services, to the extent such sections (as so added or amended) are inconsistent with any such waiver.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 2014.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—In the case of a State plan under section 1902 of the Social Security Act (42 U.S.C. 1396a) which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, the State plan shall not be regarded as failing to comply with the requirements of such section 1902 solely on the basis of the failure of the plan to meet such additional requirements before the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mrs. SHAHEEN, Mr. BENNET, Mr. KING, Mr. UDALL of New Mexico, Mr. FRANKEN, Mr. SCHUMER, Mrs. HAGAN, Mr. HARKIN, Mr. REED, Mrs. GILLIBRAND, Mrs. BOXER, Mr. BROWN, Ms. KLOBUCHAR, Ms. HIRONO, Mr. MARKEY, Mr. JOHNSON of South Dakota, Mr. TESTER, Ms. STABENOW, Mr. NELSON, Mr. CARDIN, Mr. CASEY, Mr. ROCKEFELLER, Mrs. MCCASKILL, Mr. SANDERS, Ms. WARREN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. DURBIN, Mr. COONS, Mr. UDALL of Colorado, Mr. MENENDEZ, Mr. BEGICH, Mr. KAINE, Mr. WARNER, Mr. WALSH, Ms. BALDWIN, Mr. HEINRICH, Mr. CARPER, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. REID, Mr. MERKLEY, Ms. HEITKAMP, Mr. MANCHIN, Mr. MURPHY, Mr. BOOKER, Ms. CANTWELL, Mr. LEVIN, and Ms. LANDRIEU):

S. 2516. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes; to the Committee on Rules and Administration.

Mr. LEAHY. Mr. President, today, I join with several Democratic Senators to reintroduce the DISCLOSE Act, renewing—for the third time—our fight to curtail some of the worst abuses resulting from the Supreme Court's decision in Citizens United. Republicans mounted filibusters of this commonsense bill when it was first introduced in 2010 and then again when it was reintroduced in 2012. This was the case even though Republicans claim to support disclosure.

Earlier this month, I chaired a hearing on a proposed constitutional amendment to repair the damage done by Citizens United and a series of other flawed Supreme Court decisions that have eviscerated our campaign finance laws. At this hearing, even Floyd Abrams, the noted First Amendment attorney who testified against the proposed amendment argued that he supported greater disclosure. And yet, Republicans have already filibustered this bill twice and are likely to continue filibustering it. I am hoping that Republicans have come to their senses after seeing how Citizens United has allowed unlimited, undisclosed money to pollute our elections.

Since that decision, our elections have been defined by corporations and billionaires spending vast amounts of secret money to influence elections. In the 2012 election cycle, spending from undisclosed sources exceeded $310 million, a massive increase from the $69 million from undisclosed sources in the previous presidential election cycle in 2008. And this number will only increase. No one doubts that.

While states like Vermont and Congress continue their heavy lift of passing a constitutional amendment to address the flawed Supreme Court decisions that have gutted our campaign finance laws, the Senate can take more immediate action today. By passing the DISCLOSE Act, we can restore transparency and accountability to campaign finance laws by ensuring that all Americans know who is paying for campaign ads. This is a crucial step toward restoring the ability of Vermonters and all American voters to be able to speak, be heard and to hear competing voices, and not be drowned out by powerful corporate interests.

We know disclosure laws can work because they do work for individual Americans donating directly to political campaigns. When you or I give money directly to a political candidate, our donation is not hidden. It is publicly disclosed. Yet those who oppose the DISCLOSE Act are standing up for special rights for corporations and wealthy donors that you and I do not have.

Recently, the Washington Post documented a trend whereby politically active organizations manipulate and use

their tax-exempt status to keep its donor lists private even though these organizations are pouring millions of dollars of undisclosed money into our elections. The increase of secret money can only harm our political process. The DISCLOSE Act would fix this problem. This bill would require any organization spending money on political ads, including 501(c)(4)s and Super PACs, to disclose donors who had given $10,000 or more. This is a commonsense transparency measure that everyone should be willing to support.

When the race is on for secret money and election campaigns are won or lost by who can collect the largest amount of unaccountable, secret donations, it puts at risk government of, by and for the people. In a democracy, our ballots should be secret not massive corporate campaign contributions. Disclosure of who is paying for election ads should not be kept secret from the public.

Vermont is a small state. It would not take more than a tiny fraction of the corporate money flooding the airwaves in other states to outspend all of our local candidates combined. I know that the people of Vermont, like all Americans, take seriously their civic duty to choose wisely on Election Day. Like all Vermonters, I cherish the voters' role in the democratic process and am a staunch believer in the First Amendment. The rights of Vermonters and all Americans to speak to each other and to be heard should not be undercut by corporate spending.

I hope that Republicans who have seen the impact of waves of unaccountable corporate campaign spending will join us to take up this important legislation. I hope Republican Senators will let us vote on the DISCLOSE Act and help us take an important step to ensure the ability of every American to be heard and to be able to meaningfully participate in free and fair elections.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 2520. A bill to improve the Freedom of Information Act; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, the Freedom of Information Act, FOIA, is one of our Nation's most important laws, established to give Americans greater access to their government and protect their ability to hold government accountable. In keeping with my commitment to support this law and expand its mission, today I join with Senator JOHN CORNYN to introduce bipartisan legislation that will improve the implementation of FOIA.

I have sought for decades to make our government more open and transparent. Senator CORNYN has been an important partner in these efforts, and our collaboration has resulted in the enactment of several improvements to FOIA: the OPEN Government Act, the first major reform to FOIA in more than a decade; the OPEN FOIA Act, which increased the transparency of legislative exemptions to FOIA; and the Faster FOIA Act, which responded to the concerns of FOIA requestors and addressed agency delays in processing requests.

The FOIA Improvement Act we are introducing today will make additional improvements to the law. It will enshrine into law the presumption of openness that the President laid out on his first day in office. He said, ''The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails.'' Our bipartisan legislation will require that Federal agencies consider the public interest in the disclosure of government information before invoking a FOIA exemption. It will provide additional independence for the Office of Government Information Services, OGIS, created by the OPEN Government Act in 2007, and reduce the overuse of Exemption 5 to withhold information by adding a public interest balancing test.

There has been significant progress in improving the FOIA process over the years, but I am concerned that the growing trend towards relying upon FOIA exemptions to withhold large swaths of government information is hindering the public's right to know. According to the OpenTheGovernment.org 2013 Secrecy Report, Federal agencies used Exemption 5 more than 79,000 times in 2012—an incredible 41 percent increase from the previous year. This does not exemplify the presumption of openness that we expect from our Government, and that is why Senator CORNYN and I are introducing the FOIA Improvement Act today.

Both Democrats and Republicans understand that a commitment to transparency is a commitment to the American values of openness and accountability, and to the public's right to know what their government is doing. I value the strong partnership that I have formed with Senator CORNYN on open government matters. Ensuring an open government should be a nonpartisan issue, and I invite all Members to support the FOIA Improvement Act of 2014.

Mr. President I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2520

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FOIA Improvement Act of 2014''.

SEC. 2. AMENDMENTS TO FOIA.

Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''for public inspection and copying'' and inserting ''for public inspection in an electronic format'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) copies of all records, regardless of form or format—

''(i) that have been released to any person under paragraph (3); and

''(ii)(I) that because of the nature of their subject matter, the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records; or

''(II) that have been requested not less than 3 times; and''; and

(iii) in the undesignated matter following subparagraph (E), by striking ''public inspection and copying current'' and inserting ''public inspection in an electronic format, and current'';

(B) in paragraph (4)(A), by striking clause (viii) and inserting the following:

''(viii)(I) Except as provided in subclause (II), an agency shall not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) under this subparagraph if the agency has failed to comply with any time limit under paragraph (6).

''(II)(aa) If an agency determines that unusual circumstances apply (as the term is defined in paragraph (6)(B)) and the agency provides a timely written notice to the requester in accordance with paragraph (6)(B), a failure described in subclause (I) is excused for an additional 10 days. If the agency fails to comply with the extended time limit, the agency may not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees).

''(bb) If a court determines that exceptional circumstances exist (as that term is defined in paragraph (6)(C)), a failure described in subclause (I) shall be excused for the length of time provided by the court order.'';

(C) in paragraph (6)—

(i) in subparagraph (A)(i), by striking ''making such request'' and all that follows through ''determination; and'' and inserting the following: ''making such request of—''

''(I) such determination and the reasons therefore;

''(II) the right of such person to seek assistance from the FOIA Public Liaison of the agency; and

''(III) in the case of an adverse determination—

''(aa) the right of such person to appeal to the head of the agency, within a period determined by the head of the agency that is not less than 90 days after the receipt of such adverse determination; and

''(bb) the right of such person to seek dispute resolution services from the FOIA Public Liaison of the agency or the Office of Government Information Services; and''; and

(ii) in subparagraph (B)(ii), by striking ''the agency.'' and inserting ''the agency, and notify the requester of the right of the requester to seek dispute resolution services from the Office of Government Information Services.''; and

(D) by adding at the end the following:

''(8) An agency—

''(A) shall—

''(i) withhold information under this section only if—

''(I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b) or other provision of law; or

''(II) disclosure is prohibited by law; and

''(ii)(I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

''(II) take reasonable steps necessary to segregate and release nonexempt information; and

''(B) may not—

''(i) withhold information requested under this section merely because the agency can demonstrate, as a technical matter, that the records fall within the scope of an exemption described in subsection (b); or

''(ii) withhold information requested under this section because the information may be embarrassing to the agency or because of speculative or abstract concerns.'';

(2) in subsection (b), by amending paragraph (5) to read as follows:

''(5) inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency, if—

''(A) in the case of deliberative process privilege or attorney work-product privilege, the agency interest in protecting the records or information is not outweighed by a public interest in disclosure;

''(B) in the case of attorney-client privilege, the agency interest in protecting the records or information is not outweighed by a compelling public interest in disclosure; and

''(C) the requested record or information was created less than 25 years before the date on which the request was made;'';

(3) in subsection (e)

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''and to the Director of the Office of Government Information Services'' after ''United States'';

(ii) in subparagraph (N), by striking ''and'' at the end;

(iii) in subparagraph (O), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(P) the number of times the agency denied a request for records under subsection (c); and

''(Q) the number of records that were made available for public inspection in an electronic format under subsection (a)(2).'';

(B) by striking paragraph (3) and inserting the following:

''(3) Each agency shall make each such report available for public inspection in an electronic format. In addition, each agency shall make the raw statistical data used in each report available in a timely manner for public inspection in an electronic format, which shall be made available—

''(A) without charge, license, or registration requirement;

''(B) in an aggregated, searchable format; and

''(C) in a format that may be downloaded in bulk.'';

(C) in paragraph (4)—

(i) by striking ''Government Reform and Oversight'' and inserting ''Oversight and Government Reform'';

(ii) by inserting ''Homeland Security and'' before ''Governmental Affairs''; and

(iii) by striking ''April'' and inserting ''March''; and

(D) by striking paragraph (6) and inserting the following:

''(6)(A) The Attorney General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Judiciary of the Senate, and the President a report on or before March 1 of each calendar year, which shall include for the prior calendar year—

''(i) a listing of the number of cases arising under this section;

''(ii) a listing of—

''(I) each subsection, and any exemption, if applicable, involved in each case arising under this section;

''(II) the disposition of each case arising under this section; and

''(III) the cost, fees, and penalties assessed under subparagraphs (E), (F), and (G) of subsection (a)(4); and

''(iii) a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

''(B) The Attorney General of the United States shall make—

''(i) each report submitted under subparagraph (A) available for public inspection in an electronic format; and

''(ii) the raw statistical data used in each report submitted under subparagraph (A) available for public inspection in an electronic format, which shall be made available—

''(I) without charge, license, or registration requirement;

''(II) in an aggregated, searchable format; and

''(III) in a format that may be downloaded in bulk.'';

(4) in subsection (g), in the matter preceding paragraph (1), by striking ''publicly available upon request'' and inserting ''available for public inspection in an electronic format'';

(5) in subsection (h)—

(A) in paragraph (1), by adding at the end the following: ''The head of the Office shall be the Director of the Office of Government Information Services.'';

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) identify procedures and methods for improving compliance under this section.'';

(C) by striking paragraph (3) and inserting the following:

''(3) The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and administrative agencies as a non-exclusive alternative to litigation and may issue advisory opinions at the discretion of the Office or upon request of any party to a dispute.''; and

(D) by adding at the end the following:

''(4)(A) Not less frequently than annually, the Director of the Office of Government Information Services shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on the Judiciary of the Senate, and the President—

''(i) a report on the findings of the information reviewed and identified under paragraph (2);

''(ii) a summary of the activities of the Office of Government Information Services under paragraph (3), including—

''(I) any advisory opinions issued; and

''(II) the number of times each agency engaged in dispute resolution with the assistance of the Office of Government Information Services or the FOIA Public Liaison; and

''(iii) legislative and regulatory recommendations, if any, to improve the administration of this section.

''(B) The Director of the Office of Government Information Services shall make each report submitted under subparagraph (A) available for public inspection in an electronic format.

''(C) The Director of the Office of Government Information Services shall not be required to obtain the prior approval, comment, or review of any officer or agency of the United States, including the Department of Justice, the Archivist of the United States, or the Office of Management and Budget before submitting to the Congress, or any committee or subcommittee thereof, any reports, recommendations, testimony, or comments, if such submissions include a statement indicating that the views expressed therein are those of the Director and do not necessarily represent the views of the President.

''(5) The Director of the Office of Government Information Services may submit additional information to Congress and the President as the Director determines to be appropriate.

''(6) Not less frequently than annually, the Office of Government Information Services shall conduct a meeting that is open to the public on the review and reports by the Office and shall allow interested persons to appear and present oral or written statements at the meeting.''; and

(6) by striking subsections (i), (j), and (k), and inserting the following:

''(i) The Government Accountability Office shall—

''(1) conduct audits of administrative agencies on compliance with and implementation of the requirements of this section and issue reports detailing the results of such audits; and

''(2) catalog the number of exemptions described in subsection (b)(3) and the use of such exemptions by each agency.

''(j)(1) Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

''(2) The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

''(A) have agency-wide responsibility for efficient and appropriate compliance with this section;

''(B) monitor implementation of this section throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency's performance in implementing this section;

''(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve its implementation of this section;

''(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency's performance in implementing this section;

''(E) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of the exemptions in both the agency's handbook issued under subsection (g), and the agency's annual report on this section, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply;

''(F) offer training to agency staff regarding their responsibilities under this section;

''(G) serve as the primary agency liaison with the Office of Government Information Services and the Office of Information Policy; and

''(H) designate 1 or more FOIA Public Liaisons.

''(3) The Chief FOIA Officer of each agency shall review, not less frequently than annually, all aspects of the administration of this section by the agency to ensure compliance with the requirements of this section, including—

''(A) agency regulations;

''(B) disclosure of records required under paragraphs (2) and (8) of subsection (a);

''(C) assessment of fees and determination of eligibility for fee waivers;

''(D) the timely processing of requests for information under this section;

''(E) the use of exemptions under subsection (b); and

''(F) dispute resolution services with the assistance of the Office of Government Information Services or the FOIA Public Liaison.

''(k)(1) There is established in the executive branch the Chief FOIA Officers Council

(referred to in this subsection as the 'Council').

''(2) The Council shall be comprised of the following members:

''(A) The Deputy Director for Management of the Office of Management and Budget.

''(B) The Director of the Office of Information Policy at the Department of Justice.

''(C) The Director of the Office of Government Information Services.

''(D) The Chief FOIA Officer of each agency.

''(E) Any other officer or employee of the United States as designated by the Co-Chairs.

''(3) The Director of the Office of Information Policy at the Department of Justice and the Director of the Office of Government Information Services shall be the Co-Chairs of the Council.

''(4) The Administrator of General Services shall provide administrative and other support for the Council.

''(5)(A) The duties of the Council shall include the following:

''(i) Develop recommendations for increasing compliance and efficiency under this section.

''(ii) Disseminate information about agency experiences, ideas, best practices, and innovative approaches related to this section.

''(iii) Identify, develop, and coordinate initiatives to increase transparency and compliance with this section.

''(iv) Promote the development and use of common performance measures for agency compliance with this section.

''(B) In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section.

''(6)(A) The Council shall meet regularly and such meetings shall be open to the public unless the Council determines to close the meeting for reasons of national security or to discuss information exempt under subsection (b).

''(B) Not less frequently than annually, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.

''(C) Not later than 10 business days before a meeting of the Council, notice of such meeting shall be published in the Federal Register.

''(D) Except as provided in subsection (b), the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by the Council shall be made publicly available.

''(E) Detailed minutes of each meeting of the Council shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Council. The minutes shall be redacted as necessary and made publicly available.''.

SEC. 3. REVIEW AND ISSUANCE OF REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the head of each agency (as defined in section 551 of title 5, United States Code) shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by section 2.

(b) REQUIREMENTS.—The regulations of each agency shall include procedures for engaging in dispute resolution through the FOIA Public Liaison and the Office of Government Information Services.

SEC. 4. PROACTIVE DISCLOSURE THROUGH RECORDS MANAGEMENT.

Section 3102 of title 44, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following:

''(2) procedures for identifying records of general interest or use to the public that are appropriate for public disclosure, and for posting such records in a publicly accessible electronic format;''.

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act or the amendments made by this Act. The requirements of this Act and the amendments made by this Act shall be carried out using amounts otherwise authorized or appropriated.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 482—EXPRESSING THE SENSE OF THE SENATE THAT THE AREA BETWEEN THE INTERSECTIONS OF INTERNATIONAL DRIVE, NORTHWEST VAN NESS STREET, NORTHWEST INTERNATIONAL DRIVE, NORTHWEST AND INTERNATIONAL PLACE, NORTHWEST IN WASHINGTON, DISTRICT OF COLUMBIA, SHOULD BE DESIGNATED AS ''LIU XIAOBO PLAZA''

Mr. CRUZ submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 482

Whereas June 4, 2014, marked the 25th anniversary of the brutal crackdown on protestors at Tiananmen Square in Beijing;

Whereas Dr. Liu Xiaobo is a Chinese human rights activist and Nobel Laureate who is currently serving an 11-year prison sentence for inciting subversion against the Government of the People's Republic of China;

Whereas in recognition of Dr. Liu Xiaobo's long and non-violent struggle for fundamental human rights in the People's Republic of China, he was awarded the Nobel Peace Prize in October 2010; and

Whereas renaming a portion of the street in front of the Embassy of the People's Republic of China in the District of Columbia after Dr. Liu Xiaobo serves as an expression of solidarity between the people of the United States and the people of the People's Republic of China who are, like Dr. Liu Xiaobo, engaged in a long and non-violent struggle for fundamental human rights: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, should be known and designated as ''Liu Xiaobo Plaza'', and any reference in a law, map, regulation, document, paper, or other record to that area should be deemed to be a reference to Liu Xiaobo Plaza;

(2) the address of 3505 International Place, Northwest, Washington, District of Columbia, should be redesignated as 1 Liu Xiaobo Plaza, and any reference in a law, map, regulation, document, paper, or other record of the United States to that address should be deemed to be a reference to 1 Liu Xiaobo Plaza; and

(3) the Administrator of General Services should construct street signs that—

(A) contain the phrase ''Liu Xiaobo Plaza'';

(B) are similar in design to the signs used by Washington, District of Columbia, to designate the location of Metro stations; and

(C) should be placed on—

(i) the parcel Federal property that is closest to 1 Liu Xiaobo Plaza (as described in paragraph (2)); and

(ii) the street corners of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest, Washington, District of Columbia.

SENATE RESOLUTION 483—ESTABLISHING A POINT OF ORDER AGAINST LEGISLATION SELLING FEDERAL LAND IN ORDER TO REDUCE THE DEFICIT

Mr. WALSH (for himself, Mr. HEINRICH, and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 483

Resolved,

SECTION 1. POINT OF ORDER AGAINST SELLING FEDERAL LAND IN ORDER TO REDUCE THE DEFICIT.

(a) IN GENERAL.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, amendment between the houses, or conference report that sells any Federal land and uses the proceeds of the sale to reduce the Federal deficit.

(b) EXCEPTION.—Subsection (a) shall not apply to the sale of Federal land as part of a program that acquires land in the same State that is of comparable value or contains exceptional resources.

(c) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. WALSH. Mr. President, I rise today to talk about one of our greatest treasures in this country: our public lands. Growing up in Butte, MT, I woke up every day under the morning shadow of the Continental Divide, part of the Deerlodge National Forest. When I was a kid, my dad would take me fishing on the Big Hole River. On the living room wall in my parents' home, there were pictures of three people: a picture of Jesus, a picture of JFK, and a picture of George Meany. I have carried the values my parents instilled in me to this day.

I grew up in a Catholic home similar to Montana writer Norman Maclean, who wrote in his famous book ''A River Runs Through It'' that his father, a Presbyterian minister, ''told us about Christ's disciples being fishermen, and we were left to assume, as my brother and I did, that all first-class fishermen on the Sea of Galilee were fly fishermen, and that John, the favorite, was a dry-fly fisherman.''

As an adult serving in the Montana National Guard, I would ride my mountain bike almost daily all over trails in