

Transparency Act of 2013. I was pleased to join Senator FRANKEN on this legislation because, at the very least, Americans deserve to know the number of people whose information is housed by the NSA. For the first time in American history, the government is forced to disclose to the American people roughly how many of them have had their communications collected.

Our provision calls for reports by the Director of National Intelligence detailing the requests for information authorized under the PATRIOT Act and the FISA Amendments Act. The reports would specify the total number of people whose information has been collected under these programs and how many people living in the United States have had their information collected. They would also permit the intelligence community to report on how many Americans actually had their information looked at by the NSA or any other intelligence agencies.

Furthermore, these provisions would allow telephone and Internet companies to tell consumers basic information regarding FISA court orders they receive and the number of users whose information is turned over.

The principles outlined in this bill to increase transparency for Americans and private companies would clear up a tremendous amount of confusion that exists within the programs. And our private companies need the added disclosure. The Information Technology & Innovation Foundation estimates that American cloud computing companies could lose \$22 billion to \$35 billion in the next 3 years because of concerns about their involvement with surveillance programs. The analytics firm Forrester put potential losses much higher, at \$180 billion.

I want to be clear: I share the concerns of all Americans that we must protect ourselves against threats to the homeland. I believe terrorism is very real and the United States is the target of those looking to undermine the freedoms we hold as the core of our national identity. If the bulk collection programs in existence were bearing so much information to protect the homeland, it would change my opinion on the need for the USA Freedom Act. However, the bulk collection program has simply not provided the tangible results that justify a privacy intrusion of this level. We know this because on October 2, 2013, the chairman of the Senate Judiciary Committee, Senator LEAHY, asked NSA Director Keith Alexander the following question:

At our last hearing, deputy director Inglis stated that there's only really one example of a case where, but for the use of Section 215 bulk phone records collection, terrorist activity was stopped. Was Mr. Inglis right?

To which Director Alexander responded:

He's right. I believe he said two, Chairman.

Congress has authorized the collection of millions of law-abiding citizens' telephone metadata for years and it has only solved two ongoing FBI investigations. Of those two investigations, the NSA has publicly identified one. In fact, that case could have easily been handled by obtaining a warrant and going to the telephone company. It is the case of an individual in San Diego who was convicted of sending \$8,500 to Somalia in support of al-Shabaab, the terrorist organization claiming responsibility for the Kenyan mall attack. The American phone records allowed the NSA to determine that a U.S. phone was used to contact an individual associated with this terrorist organization. I am appreciative that the NSA was able to apprehend this individual, but it does not provide overwhelming evidence that this program is necessary. The Obama administration has come to the same conclusion and so has the intelligence community.

The operational capabilities the intelligence community relies on to conduct their mission to keep us safe will not be impacted by the USA FREEDOM Act. If it were, the Intelligence Community and the administration would not have brokered this compromise legislation. Ending the bulk collection programs and giving Americans more transparency so they can determine for themselves whether they believe these programs should exist is an obligation we have to all of our constituents.

We have a bill introduced today that would give our law enforcement authorities the tools they need to keep us safe and also stay true to the Fourth Amendment. I encourage my colleagues to support these important reforms and I hope it can quickly be considered by this Chamber.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 526—SUPPORTING ISRAEL'S RIGHT TO DEFEND ITSELF AGAINST HAMAS, AND FOR OTHER PURPOSES

Mr. REID (for himself, Mr. MCCONNELL, Mr. MENENDEZ, Mr. CORKER, Mr. CARDIN, and Mr. GRAHAM) submitted the following resolution; which was considered and agreed to:.

S. RES. 526

Whereas Hamas, an organization designated as a Foreign Terrorist Organization by the United States Department of State since 1997, has fired over 2,500 rockets indiscriminately from Gaza into Israel;

Whereas Israel has a right to defend itself from Hamas's constant barrage of rockets and to destroy the matrix of tunnels Hamas uses to smuggle weapons and Hamas fighters into Israel to carry out terrorist attacks;

Whereas the Government of Israel has taken significant steps to protect civilians in Gaza, including dropping leaflets in Gaza

neighborhoods in advance of Israeli military attacks, calling Palestinians on the phone urging them to evacuate certain areas before the military strikes targets, and issuing warnings to civilians in advance of firing on buildings;

Whereas Israel's attacks have focused on terrorist targets such as Hamas's munitions storage sites, areas sheltering Hamas's rocket systems, Hamas's weapons manufacturing sites, the homes of militant leaders, and on the vast labyrinth of tunnels Hamas's fighters use to penetrate Israel's territory and attack Israelis;

Whereas Hamas uses rockets to indiscriminately target civilians in Israel;

Whereas Israel has accepted and implemented numerous ceasefire agreements that Hamas has rejected;

Whereas Hamas continued to fire rockets into Israel during a 24-hour truce that Hamas had itself proposed;

Whereas Israel embraced the Egyptian-proposed ceasefire agreement, which Hamas resoundingly rejected on July 27, 2014;

Whereas Hamas intentionally uses civilians as human shields;

Whereas Hamas refuses to recognize Israel's right to exist;

Whereas Israel's Iron Dome has protected Israel's civilian population from the over 2,500 rockets that Hamas has indiscriminately fired into Israel since July 7, 2014;

Whereas, without Iron Dome's ability to intercept and destroy Hamas's missiles, Israeli neighborhoods would have been significantly damaged and Israeli casualties would have been much higher;

Whereas the United Nations Human Rights Council voted to accept a biased resolution establishing a Commission of Inquiry to determine if Israel violated human rights and humanitarian law during the ongoing conflict with Gaza; and

Whereas the United Nations Human Rights Council resolution makes no mention of investigating Hamas's indiscriminate rocket attacks against Israel, nor Hamas's policy of using Palestinian civilians as human shields: Now, therefore, be it

Resolved, That the Senate—

(1) laments all loss of innocent civilian life;

(2) condemns the United Nations Human Rights Council's resolution on July 23, 2014, which calls for yet another prejudged investigation of Israel while making no mention of Hamas's continued assault against Israel, and also calls for an investigation into potential human rights violations by Israel in the current Gaza conflict without mentioning Hamas's assault against innocent civilians and its use of civilian shields;

(3) supports Israel's right to defend itself against Hamas's unrelenting and indiscriminate rocket assault into Israel and Israel's right to destroy Hamas's elaborate tunnel system into Israel's territory;

(4) condemns Hamas's terrorist actions and use of civilians as human shields;

(5) supports United States mediation efforts for a durable ceasefire agreement that immediately ends Hamas's rocket assault and leads to the demilitarization of Gaza; and

(6) supports additional funding the Government of Israel needs to replenish Iron Dome missiles and enhance Israel's defensive capabilities.

SENATE RESOLUTION 527—CONGRATULATING THE MEMBERS OF PHI BETA SIGMA FRATERNITY, INC. FOR 100 YEARS OF SERVICE THROUGHOUT THE UNITED STATES AND THE WORLD, AND COMMENDING PHI BETA SIGMA FRATERNITY, INC. FOR EXEMPLIFYING THE IDEALS OF BROTHERHOOD, SCHOLARSHIP, AND SERVICE WHILE UPHOLDING THE MOTTO "CULTURE FOR SERVICE AND SERVICE FOR HUMANITY"

Ms. LANDRIEU (for herself, Mr. SCOTT, Mr. CARDIN, Mr. BROWN, Mr. NELSON, Mrs. HAGAN, Mr. LEVIN, and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 527

Whereas Phi Beta Sigma Fraternity, Inc. was founded on the campus of Howard University in the District of Columbia on January 9, 1914, by A. Langston Taylor, Leonard F. Morse, and Charles I. Brown;

Whereas since the formation of Phi Beta Sigma Fraternity, Inc., the members of Phi Beta Sigma Fraternity, Inc. have maintained a strong commitment to brotherhood, community involvement, and service to all people;

Whereas Phi Beta Sigma Fraternity, Inc. has implemented a number of initiatives encouraging diversity, business opportunities, and advocacy;

Whereas Phi Beta Sigma Fraternity, Inc. has established the Sigma Wellness, Sigma Cares, and Living Well Brother to Brother programs;

Whereas Phi Beta Sigma Fraternity, Inc. was the first African-American fraternity to establish alumni chapters and youth mentoring clubs and is the only fraternity to form an African-American sorority counterpart, Zeta Phi Beta;

Whereas the men of Phi Beta Sigma Fraternity, Inc. have dedicated themselves to the promotion of civil rights, and the members of Phi Beta Sigma Fraternity, Inc. include influential leaders and activists such as Hosea Williams, A. Philip Randolph, and Lafayette McKee Hershaw;

Whereas members belonging to chapters of Phi Beta Sigma Fraternity, Inc. across the United States responded to a call for support of the war efforts of the United States during World War I;

Whereas members of Phi Beta Sigma Fraternity, Inc., such as Alain LeRoy Locke, Weldon Johnson, and A. Philip Randolph, made significant contributions to the Harlem Renaissance;

Whereas Phi Beta Sigma Fraternity, Inc. has over 700 chapters in the United States, Africa, Europe, Asia, and the Caribbean;

Whereas the men of Phi Beta Sigma Fraternity, Inc. have distinguished themselves as public servants, including members such as—

(1) a United States Congressman, civil rights activist, and chairman of the Student Nonviolent Coordinating Committee;

(2) the first African-American Speaker of the Colorado House of Representatives;

(3) the first African-American Democrat elected to the Congress of the United States;

(4) Demetrius C. Newton, Sr., elected in 1986 as the first African-American Speaker Pro Tempore of the Alabama House of Representatives; and

(5) Fleming Jones, Jr., the first African-American Democratic member of the West Virginia House of Delegates; and

Whereas Phi Beta Sigma Fraternity, Inc. commemorated its history and promoted service during the Phi Beta Sigma centennial celebration on January 9, 2014, in the District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Phi Beta Sigma Fraternity, Inc. for 100 years of service to communities throughout the United States and the world; and

(2) commends Phi Beta Sigma Fraternity, Inc. for a continued commitment to the ideals of brotherhood, scholarship, and service.

SENATE RESOLUTION 528—COMMEMORATING THE 125TH ANNIVERSARY OF NORTH DAKOTA'S STATEHOOD

Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted the following resolution; which was considered and agreed to:

S. RES. 528

Whereas the Dakota Territory was incorporated in 1861;

Whereas President Theodore Roosevelt came to the Dakota Territory in 1883 to hunt and begin cattle ranching near Medora, North Dakota;

Whereas President Theodore Roosevelt credited the fact he was elected President to the time he spent and the experiences he had in North Dakota;

Whereas North Dakota was admitted to the Union on November 2, 1889;

Whereas the population of North Dakota grew from 2,000 in 1870 to 680,000 in 1930, and reached a State record of 730,000 people in 2014;

Whereas the battleship USS NORTH DAKOTA, the first turbine-powered ship in the United States Navy, was launched in 1908;

Whereas the North Dakota State flag, the regimental flag carried by the North Dakota Infantry in the Spanish-American War in 1898 and Philippine Island Insurrection in 1899, was designated in 1911;

Whereas the Bank of North Dakota was established in 1919 and the State mill and elevator began operating in 1922;

Whereas, in 1932, the International Peace Garden was established on the border between North Dakota and the Canadian province of Manitoba, a symbol of peace between the governments of the United States and Canada;

Whereas, in 1949, the Theodore Roosevelt National Memorial Park was dedicated, covering 3 areas of the badlands in western North Dakota;

Whereas, in 1953, President Eisenhower dedicated the Garrison Dam, the fifth-largest earthen dam in the world, which created Lake Sakakawea, the third-largest man-made lake in the United States;

Whereas North Dakota has a world-class system of higher education, which supports student development across a variety of fields, including aerospace, agriculture, architecture, education, engineering, law, medicine, and nursing;

Whereas the USS NORTH DAKOTA, a Virginia-class submarine was christened in November 2013;

Whereas North Dakota has had the lowest unemployment rate in the United States for over 5 years;

Whereas, in 2013, North Dakota was either 1st or 2nd in the United States in total agriculture production for 16 different commodities;

Whereas North Dakota is the second largest producer of oil and gas in the United States;

Whereas North Dakota produces over 1,000,000 barrels of oil each day;

Whereas the economy of North Dakota has grown faster than the economy of all other States of the United States for 4 consecutive years;

Whereas the personal income of people in North Dakota is nearly 30 percent above the national average;

Whereas, in 2012, exports from North Dakota topped \$4,000,000,000; and

Whereas the economy and communities of North Dakota has experienced unprecedented development, resulting in national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the State of North Dakota on its 125th anniversary; and

(B) the people of North Dakota for their tremendous work and success in building the prosperity of current and future generations living in the State; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Governor of North Dakota.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3700. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table.

SA 3701. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, supra; which was ordered to lie on the table.

SA 3702. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; which was ordered to lie on the table.

SA 3703. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3704. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3705. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 5021, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3700. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2569, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

On page 13, after line 3, insert the following:

SEC. 4. LONG-TERM UNEMPLOYED INDIVIDUALS NOT TAKEN INTO ACCOUNT FOR EMPLOYER HEALTH CARE COVERAGE MANDATE.

(a) IN GENERAL.—Paragraph (4) of section 4980H(c) of the Internal Revenue Code of 1986