

an event that the employer does not believe constitutes a substantial cessation of operations. If the employer informs the corporation in writing, the notification will not trigger the 30-day period for making an election, and the 30-day period will begin when the employer agrees that the event constitutes a substantial cessation of operations or when the corporation makes a final administrative determination to that effect and similarly determines the amount of the alternative liability.

Third, S. 2511 is intended to prevent employers from being subject to retroactive liability and to other unreasonable payment deadlines. The legislation generally requires the first contribution under the alternative liability method to be paid not later than the earlier of (1) the due date for the minimum required contribution for the year in which the substantial cessation occurred and (2) in the case of the first contribution, the date that is 1 year after the later of (a) the date that the employer notifies the corporation of the substantial cessation or (b) the date that the corporation makes a final administrative determination that a substantial cessation has occurred and of the amount of the alternative liability, with subsequent contributions due on the same date in the following years. The intent is to ensure that in all cases the employer has at least 1 year's advance notice of the need to make the first contribution.

Thus, clause (2) controls where otherwise an employer could have less than a year's advance notice of the liability. That is especially important where there is uncertainty as to whether a substantial cessation has occurred or regarding the alternative liability amount because the corporation's final determination might not even be made until after the due date for contributions for the year of the substantial cessation. Similarly, the substantial cessation could occur in a year when the employer is not subject to section 4062(e) liability pursuant to the corporation's enforcement policy, but in a later year, the employer becomes subject to section 4062(e) liability with respect to that earlier cessation. To prevent retroactive liability and other problems, clause (2) is controlling regarding the timing of the first contribution in all cases where the employer would otherwise have less than a year's advance notice of the liability. Where clause (2) is controlling, the seven annual payments would start with the first one required by clause (2).

In some cases, an employer may have notified the corporation of a substantial cessation and elected the alternative liability method in a specific amount. We intend for the same timing rules to apply in determining the due date of the first payment of such amount. However, the corporation may later challenge the amount of the alternative liability and seek a higher amount. In such cases, the higher

amount would become due pursuant to the timing rules so that there may be separate 7-year periods, one for the originally elected amount and one for the higher amount determined by the corporation.

Fourth, if an employer fails to pay the amount due for any year by the due date, the employer will be liable for the balance of all amounts due for subsequent years under the alternative liability method, though the corporation may waive or settle such accelerated liability in its discretion. Of course, any such acceleration should be stayed during the pendency of any administrative or judicial proceeding to determine whether there has been a substantial cessation and/or the amount of the alternative liability amount. In addition, if the corporation or a court finds that the employer had a reasonable basis to contest any material portion of the corporation's determination, then the acceleration provision shall not apply, but the employer would owe past due payments plus interest.

S. 2511 is a commonsense solution to the concerns of the pension community, and I appreciate the work of Senator ALEXANDER, the members of the HELP Committee and the Obama administration in getting this important legislation across the finish line.

BURNS AND BARAN NOMINATIONS

Mr. SESSIONS. Mr. President, yesterday I cast votes against the nominations of Stephen Burns and Jeffrey Baran to be Commissioners on the Nuclear Regulatory Commission. I hope I am wrong in my conclusion. The NRC is an incredibly important body at this time in the history of civilian nuclear generation. While low natural gas prices puts economic strain on our fleet of nuclear generators, the NRC has to carefully evaluate the costs and benefits that its regulations provide. In the past the NRC has had talented scientists and nuclear experts compose the Commission. But for these two vacancies the President has nominated lawyers with legal and policy experience. Neither Stephen Burns nor Jeffrey Baran has the technical experience, I believe, that will enable them to effectively serve on the NRC.

Moreover, Stephen Burns—during his service with the NRC as General Counsel—authored several important legal memoranda that enabled then-NRC Chairman Gregory Jaczko to improperly undermine the licensing of Yucca Mountain resulting in severe criticism by a Federal court. He also provided a legal opinion that improperly advised Chairman Jaczko that he, alone, could use emergency powers to conduct the business of the Commission in the aftermath of the Fukushima disaster. This was not a close question, in my opinion. Mr. Burns should not have issued such an opinion. While Mr. Burns is familiar with the Commission's procedures, he has no technical nuclear power experience and I am not

convinced that he will resist interpreting the law with a political bent. For Mr. Baran—a House Committee staffer who has worked for many years for an opponent of Yucca Mountain—there is not evidence that he can impartially consider highly political Commission decisions.

This critically important Commission must be led by persons who are able to be competent and independent persons of strength. Reluctantly, I have concluded that I must oppose the nominations.

COMMENDING DON EDWARDS

Mrs. BOXER. Today I ask my colleagues to join me in celebrating the 100th birthday and extraordinary contributions of former Congressman Don Edwards.

Don was born on January 6, 1915, in San Jose, CA, where he attended public schools and graduated from the San Jose High Academy. He then attended Stanford University, where he was a star on the golf team, winning a State medal for match play along with several amateur titles. After graduating in 1936, Don earned his LL.B. at Stanford Law School.

In 1940, Don was hired as a special agent by the Federal Bureau of Investigation. When World War II broke out, he was activated from the Navy Reserve and served for 4 years as a naval intelligence officer and gunnery officer in the South Pacific, attaining the rank of lieutenant.

In the 1950s, Don founded the Valley Title Company and built it into one of the Nation's leading title insurance companies. In 1962, he was elected to Congress.

During his 32 years in the House of Representatives, Don Edwards became known as "the Congressman from the Constitution," the leading congressional defender of civil liberties and chairman of the Subcommittee on Civil and Constitutional Rights. I was lucky enough to serve with Don for 10 years and see firsthand his steadfast dedication to his home State of California and the civil rights and civil liberties of all Americans.

In the 1960s, he helped guide landmark civil rights and voting rights legislation through Congress. In the 1970s, he led the efforts to pass the Equal Rights Amendment. A master consensus-builder, he helped forge large bipartisan majorities to pass the Voting Rights Act extension of 1982, Fair Housing Amendments of 1988, Americans with Disabilities Act of 1990, and Civil Rights Act of 1991.

One of Don's proudest achievements was the creation of the Nation's first urban national wildlife refuge on the southern end of San Francisco Bay. Established in 1974, it was renamed the "Don Edwards San Francisco Bay National Wildlife Refuge" in 1995.

In 1981, Don married his longtime partner, Edith “Edie” Wilkie, director of Congress’s Arms Control and Foreign Policy Caucus, and even after they retired, she remained active in arms control and international peace for the rest of her life.

Today Don lives in beautiful Carmel among a tight circle of friends and family, including his sons, grandchildren, and great-grandchildren. They will join him in January to celebrate his 100th birthday. As he reaches this milestone, I send him my best wishes, deep affection, and abiding gratitude.

TRIBUTE TO LETITIA A. LONG

Mrs. FEINSTEIN. Mr. President, I wish to recognize and pay tribute to Letitia—Tish—A. Long, who will retire on October 3, 2014, as Director of the National Geospatial-Intelligence Agency, or NGA.

It gives me great pleasure to speak publicly about Director Long, who has not only had an exemplary and distinguished career spanning 36 years in the Intelligence Community and the Department of Defense, but who is someone I have gotten to know on a personal level.

As the Director of the NGA, Ms. Long was the first woman to head a major U.S. intelligence agency, and she will therefore always have a place in history as one of the Nation’s most important figures in military and national intelligence. She is also a leading figure among women engineers.

I am grateful that in retirement, Tish will continue to advocate and find ways to encourage young women to go into the fields of science, technology, engineering, and mathematics.

After studying electrical engineering as an undergraduate at Virginia Tech, and then earning a master’s degree in mechanical engineering at Catholic University, Tish began her government service as a civilian electrical engineer at the Office of Naval Intelligence, where she was often the only woman in a room full of male engineers.

In 1994, she was promoted to the ranks of the Senior Executive Service, where she eventually served in a dual role at the Naval Intelligence Staff as director for Requirements, Plans, Policy and Programs; and director of Resource Management.

Looking back at her career, it should come as no surprise that Ms. Long reached great heights within the Intelligence Community. In 1995, she participated in the planning for the creation of the National Imagery and Mapping Agency, the predecessor agency of NGA, which she would later lead as Director. From 1998 to 2000, Tish served on the staff of the Director of Central Intelligence as the executive director for Intelligence Community Affairs on the community management staff, the predecessor organization to the Office of the Director of National Intelligence.

Director Long’s previous positions included service as Director of the Military Intelligence Staff at DIA and Deputy Director of Naval Intelligence. Tish was instrumental in the creation of the Office of the Under Secretary of Defense for Intelligence, where she served as the first Deputy Under Secretary of Defense for Intelligence for Policy, Requirements and Resources. In 2006, she returned to the DIA as its Deputy Director.

Then, in August of 2010, Ms. Long became the fifth Director of the National Geospatial-Intelligence Agency. As its director, Tish expertly managed the multibillion-dollar NGA budget and a workforce of nearly 10,000 government employees during a challenging period that included two wars, budget sequestration, and a government shutdown.

Under Director Long’s skillful leadership, NGA provided extensive support to our Nation’s highest priority security concerns, from counterterrorism missions across the globe—including critical support to the raid that killed Osama bin Laden—to monitoring and providing advanced warning on crises in Asia, Africa, and the Middle East.

I have appreciated Director Long’s candor with the Senate Intelligence Committee and her willingness to address the committee’s concerns. Ms. Long’s leadership on intelligence integration, advanced analytic tradecraft, and technology initiatives significantly improved intelligence production for the Defense Department, the Intelligence Community, and our allied partners. These efforts also provided greater insight into national security issues for policymakers in both the executive branch and Congress.

Let me close by saying that those of us who are fortunate enough to know Tish personally can attest to her dedication to the mission, personal integrity, and unwavering loyalty to our Nation.

As she leaves government service, Tish will have more time to spend with her husband John Skibinski, stepdaughters Jordan, Lindsay, and Katherine, and granddaughter Hanna.

It is with great pride and honor that I personally recognize Director Tish Long as an innovator, leader, and friend.

We wish Tish all the best in the future. I yield the floor.

OBSERVING POW/MIA DAY

Mr. CRAPO. Mr. President, I rise today to recognize National POW/MIA Recognition Day. As we acknowledge the important role of American servicemembers and veterans, we must keep at the forefront of our thoughts and prayers the safe return of those who have gone missing in action or are prisoners of war. National POW/MIA Recognition Day, which is observed the third Friday of September, provides a time to honor prisoners of war, POW, and those who became missing in action, MIA.

As the brave men and women who serve our Nation commit themselves to protecting America and our freedoms, our Nation must be resolute in bringing them home should they go missing or be taken prisoner when serving our Nation in a time of war. Standing by our servicemembers includes utilizing every reasonable means of bringing them home.

POW/MIA families and veterans have remained committed to keeping the pursuit of facts at the forefront in the years since the Vietnam war. This effort and the perseverance of the POW/MIA families have been instrumental in accounting for missing military and civilian personnel from not only the Vietnam war but also World War II, the Korean war and the Cold War. Finding resolution for the families must remain a central focus as America has since engaged in subsequent wars to halt terrorism.

On National POW/MIA Recognition Day, we honor those Americans who have thankfully returned home, the families and loved ones who stood by awaiting their return, and we remain committed to finding answers for the families who continue to await the return of their missing and unaccounted-for loved ones. Each day, as we see the reminder of those Americans and their families through the POW/MIA flags that are posted at many places across our Nation, including the Halls of Congress, military sites, war memorials, national cemeteries, and U.S. postal service offices, let us not lose sight of this enduring commitment to accounting for those missing.

I look forward to the day when we can welcome all our servicemembers home. Thank you to the many servicemembers and their families for all they have done and continue to do for our country and to all those who work to ensure their return home.

THE EBOLA CRISIS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the Senate Health, Education, Labor, and Pensions Committee hearing yesterday be printed in the RECORD.

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

EBOLA IN WEST AFRICA: A GLOBAL CHALLENGE AND PUBLIC HEALTH THREAT

We must take the dangerous, deadly threat of Ebola as seriously as we take ISIS. Let me say that again: We must take the dangerous, deadly threat of the Ebola epidemic as seriously as we take ISIS. I think I have a reputation as a senator who’s not given to overstatement; I don’t believe that’s an overstatement.

The spread of this disease deserves a more urgent response from our country and other countries around the world than it’s now getting. This is one of the most explosive, deadly epidemics in modern time but we know what to do to reduce the spread. It will require a huge and immediate response.

There is no known cure; there’s no vaccine. Half of those who get sick die. Each sick person, according to the Centers for Disease