

reform. That is why President Obama acted. His actions are legal, but they are only a temporary fix. Congress must still act. The Republican House leadership has chosen to hold hearings attacking the President's actions, rather than simply stepping up and allowing a vote on a bill to solve the problem. Time is running out and they are wasting it on political antics. I hope that they use the remainder of this month to take up and vote on the comprehensive bill we sent them more than a year and a half ago.

I applaud the President's action to keep families together. That is why next week, the Senate Judiciary Committee will again turn to the issue of family unity. I have asked Astrid Silva, whose remarkable story President Obama began to tell last week, to come and share the rest of her story and what the President's actions will mean to her family. The fact is we have done the work for an immigration bill. Why won't the Republicans at least vote—vote yes or vote no. We did, and I applaud those Republicans and Democrats in the Senate who stood and voted. Let the House act.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

#### COLORETTI NOMINATION

Mr. JOHNSON of South Dakota. Madam President, I rise to urge my colleagues to vote in favor of the nomination of Ms. Nani Coloretti to be Deputy Secretary of the U.S. Department of Housing and Urban Development.

The HUD Deputy Secretary is a critical component of the agency's management team, overseeing HUD's programs that provide affordable rental housing, community and economic development opportunities, and an opportunity for creditworthy families to achieve the dream of home ownership. I believe Ms. Coloretti has the skills and experience necessary to take on this role. The full Senate Banking, Housing, and Urban Affairs Committee also approved Ms. Coloretti's nomination for the position on April 29, 2014, by voice vote.

Ms. Coloretti is currently the Assistant Secretary for Management at the U.S. Department of the Treasury. During her tenure at Treasury, Ms. Coloretti helped create a new Treasury Operations Excellence Team, which has applied lean principles developed in the private sector to improve performance at Treasury. This work encompassed dozens of process improvement outcomes, saving the Department money and staff time while engendering a culture of continual improvement.

Prior to joining the Treasury Department, Ms. Coloretti held positions in the San Francisco mayor's office, including budget director; the San Francisco Department of Children, Youth, and Their Families; the U.S. Office of Management and Budget; and the private sector. She is also a recipient of the National Public Service Award, the Public Policy and International Affairs

Achievement Award, and the Federal 100 Award.

In all, Ms. Coloretti would bring over 20 years of experience in budget and program analysis, as well as more than 15 years of management experience, to the position of Deputy Secretary of the Department of HUD.

At a time when millions of American families struggle to find affordable rental housing, the market continues to lock many creditworthy potential borrowers out of homeownership, and HUD's State and local partners work to provide greater opportunities with limited resources, it is critical that HUD and the programs it oversees are run efficiently and effectively. As HUD's Deputy Secretary, Ms. Coloretti would be a valuable addition to Secretary Castro's management team. I urge my fellow Senators to support her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2013

#### FEDERAL DUCK STAMP ACT OF 2014

Mr. WARNER. Madam President, in a moment I am going to be asking a unanimous consent request on some legislation that combines some work I have been doing and work the ranking member of the EPW Committee, my friend, the Senator from Alaska, has been doing. I want to make a brief statement first and then I am going to turn the floor over to the Senator from Louisiana.

I start by thanking Chairman BOXER and Ranking Member VITTER for working with me on this important legislation. I also thank the bipartisan Virginia delegation on both sides of the Capitol, especially my friend Congressman ROB WITTMAN. He and I have worked on this initiative now for more than 4 years.

As we all know, the Chesapeake Bay, while located around Virginia and Maryland and Delaware, is actually a national treasure. It is the centerpiece of the culture and economy of many coastal communities in Virginia and in several neighboring States.

Restoring the health of the Chesapeake Bay must be a national priority. Virginia and five other States, the District of Columbia, 10 Federal agencies, and more than 1,000 local governments have spent decades on this shared priority.

We have joined together over the years in a shared commitment to the Bay. We have worked across jurisdictional lines, across the political aisle, across every level of government in partnership with the private sector and with nonprofit groups such as the Chesapeake Bay Foundation.

This important bipartisan legislation that we are going to be moving on

shortly ensures that we maintain a Federal commitment to the partnership to restore the Chesapeake Bay. It also makes sure that during these challenging fiscal times every dollar spent on improving the health of the Bay produces real results.

The Chesapeake Bay accountability bill requires the U.S. Office of Management and Budget to prepare a crosscut budget. That means we will actually track where and how Federal and State restoration dollars are being spent throughout the entire Chesapeake Bay Watershed.

This will allow us to track costs and match them to results. It means more accountability and it means more transparency to our combined efforts to restore this national treasure.

This bipartisan legislation is an important step forward in ensuring that the Chesapeake Bay restoration and preservation efforts remain effective, accountable, responsible, and transparent. In a moment I am going to urge all my colleagues to join us in approving it.

At this moment, I yield the floor to the ranking member, the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I am truly honored to join my colleagues on the floor, Senators WARNER and BEGICH. I am pleased to support Senator WARNER's bill that he just described and also a second bill Senator BEGICH and I have been working very diligently on that will be part of the unanimous consent request. That is H.R. 5069, the Federal Duck Stamp Act of 2014. This bipartisan legislation is a real victory for sportsmen and for conservation. It is a straightforward bill that updates the fee paid by duck hunters for a duck stamp for the first time since 1991, and that is a big win for the hunters, it is a big win for conservation because the cost of the duck stamp goes directly toward conservation of waterfowl habitat. In fact, 98 cents on every \$1 generated goes directly to purchase or lease wetland habitat for ducks, and where you have more habitat, you have more ducks and you have a healthier environment. It is as simple as that.

I am very pleased to say our work on this bill is exactly how this place and American democracy is supposed to work. I first heard about this real need from duck hunters, from sportsmen who live this and breathe this every day. I am an occasional hunter, but these folks absolutely live it and breathe it every day and understand the critical need.

I immediately got very involved. I reached out to allies such as Senator BEGICH, who had a great interest in it. I met with the House sponsor, Representative JOHN FLEMING, also from Louisiana. We met with the House Natural Resources chairman, DOC HASTINGS. We got a strong version of the

bill that passed through the House recently and that now comes to the Senate. Today, by this consent, we will pass that House bill through the Senate and send it to the President.

As I said, that is the way the process is supposed to work, and this is a real win for hunters, for conservation, for the environment.

I thank my colleague and partner on this, Senator BEGICH, and yield the floor to him.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Madam President, I thank my colleague, Senator VITTER, for this incredible work. For several years we have been focused on this piece of legislation for two reasons; one, not only is it important for the hunters, the duck hunters, but a provision in there is also important for subsistence users in my State of Alaska.

This is an important bill. As has been mentioned, 98 cents of every \$1 that goes into a duck stamp goes back into habitat protection for hunters currently and into the future.

Along with that, since 1934, almost \$1 billion—three-quarters of a billion dollars—has been spent in protecting wetland habitat, again for the purpose of ensuring that we have this habitat protected not only for hunters but in my case for subsistence users.

I agree with Senator VITTER, this is the kind of legislation we want to see done, where Democrats and Republicans, the House and the Senate, are working together. My colleague, Congressman YOUNG, a Republican on the House side from Alaska, worked on his side of the equation, working with other House Members, to figure out how to move a bill. We had a Senate version over here we were working on. At the end of the day, it is not about whose name is on the bill; it is about getting the job done.

Here we have a piece of legislation that will finally correct the pricing on duck stamps to ensure that we keep up with inflation, to ensure that the continued preservation of wetlands is done for our hunters and our sportsmen. But on top of that, for my State of Alaska, this recognizes the needs of subsistence hunters. Millions of acres in Alaska are set aside as refuge and others are in protected status. Our subsistence users live off the land—not for extra gain for their household, but literally for food for the winter in order to survive. So this allows a waiver to be put into place that will have minimal impact on the duck stamp program, but will ensure that subsistence users—people who live off the land in Alaska—can continue to do that without the threat of a Federal agency fining them or even dealing with them in some way because they didn't have the stamp. This allows them to go for a waiver and ensure they will be able to do their subsistence hunting they have been doing for generations before the government came along and locked up their land they have been hunting. And

we will make sure this happens not only now but into the future.

Again, I wish to thank Senator VITTER for his work and his efforts not only in this body but on the other side of the Capitol, working with House Members to make sure we could all work together and do this by unanimous consent. Along with them, Senator BOXER and the EPW staff did an incredible job. It is an honor to be here today.

The last thing I will say to Senator WARNER is this: My son just had an opportunity to go to the bay. He did an incredible field study there with some of his staff. It was a great experience. He was able to go into the mud. I am not sure what that is exactly, but he was able to go chest deep, and then he decided not to do that, but to be there to help people. But it was an incredible experience, to experience that bay, which is a national treasure. So having that bill at the same time as this other one is not only good for Senator WARNER's community but good for this whole country. And for folks from my State who come to visit this community, it is another opportunity for them to see a national treasure. So it is an honor to have two pieces of legislation that will pass by unanimous consent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I thank the Senator from Alaska for his comments and I will be happy to take the Senator and his whole family out to the bay again. I thank the Senator from Louisiana and the Senator from Alaska for working together. That is the way this is supposed to work. There are duck hunters in Virginia as well and they firmly support this legislation. I appreciate also the special considerations that need to be addressed in terms of the State of Alaska.

I ask unanimous consent that the EPW Committee be discharged from further consideration of S. 1000, and the Senate proceed to its immediate consideration and the consideration of H.R. 5069, which is at the desk, en bloc.

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

There being no objection, the Senate proceeded to consider the bills, en bloc.

Mr. WARNER. I further ask unanimous consent that the Warner substitute amendment to S. 1000, which is at the desk, be agreed to; the bills, as amended, if amended, be read a third time and passed en bloc; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 3965) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Chesapeake Bay Accountability and Recovery Act of 2014".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) CHESAPEAKE BAY STATE.—The term "Chesapeake Bay State" or "State" means any of—

(A) the States of Maryland, West Virginia, Delaware, and New York;

(B) the Commonwealths of Virginia and Pennsylvania; and

(C) the District of Columbia.

(3) CHESAPEAKE BAY WATERSHED.—The term "Chesapeake Bay watershed" means all tributaries, backwaters, and side channels, including watersheds, draining into the Chesapeake Bay.

(4) CHESAPEAKE EXECUTIVE COUNCIL.—The term "Chesapeake Executive Council" has the meaning given the term by section 117(a) of the Federal Water Pollution Control Act (33 U.S.C. 1267(a)).

(5) CHIEF EXECUTIVE.—The term "chief executive" means, in the case of a State or Commonwealth, the Governor of the State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

(7) FEDERAL RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term "Federal restoration activity" means a Federal program or project carried out under Federal authority in existence as of the date of enactment of this Act with the express intent to directly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that provide financial and technical assistance to promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed.

(B) CATEGORIZATION.—Federal restoration activities may be categorized as follows:

(i) Physical restoration.

(ii) Planning.

(iii) Feasibility studies.

(iv) Scientific research.

(v) Monitoring.

(vi) Education.

(vii) Infrastructure development.

(8) STATE RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term "State restoration activity" means any State program or project carried out under State authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed.

(B) CATEGORIZATION.—State restoration activities may be categorized as follows:

(i) Physical restoration.

(ii) Planning.

(iii) Feasibility studies.

(iv) Scientific research.

(v) Monitoring.

(vi) Education.

(vii) Infrastructure development.

#### SEC. 3. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) IN GENERAL.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays, as applicable—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year;

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C); and

(E) a section that identifies and evaluates, based on need and appropriateness, specific opportunities to consolidate similar programs and activities within the budget and recommendations to Congress for legislative action to streamline, consolidate, or eliminate similar programs and activities within the budget;

(2) a detailed accounting of all funds received and obligated by each Federal agency for restoration activities during the current and preceding fiscal years, including the identification of funds that were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including—

(A) the project description;

(B) the current status of the project;

(C) the Federal or State statutory or regulatory authority, program, or responsible agency;

(D) the authorization level for appropriations;

(E) the project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) a list of coordinating entities;

(I) a description of the funding history for the project;

(J) cost sharing; and

(K) alignment with the existing Chesapeake Bay Agreement, Chesapeake Executive Council goals and priorities, and Annual Action Plan required by section 205 of Executive Order 13508 (33 U.S.C. 1267 note; relating to Chesapeake Bay protection and restoration).

(b) MINIMUM FUNDING LEVELS.—In describing restoration activities in the report required under subsection (a), the Director shall only include—

(1) for the first 3 years that the report is required, descriptions of—

(A) Federal restoration activities that have funding amounts greater than or equal to \$300,000; and

(B) State restoration activities that have funding amounts greater than or equal to \$300,000; and

(2) for every year thereafter, descriptions of—

(A) Federal restoration activities that have funding amounts greater than or equal to \$100,000; and

(B) State restoration activities that have funding amounts greater than or equal to \$100,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than September 30 of each year.

(d) REPORT.—Copies of the report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act.

#### SEC. 4. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on—

(1) restoration activities; and

(2) any related topics that are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of submission of nominees by the Chesapeake Executive Council, the Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council with the consultation of the scientific community.

(2) NOMINATIONS.—The Chesapeake Executive Council may nominate for consideration as Independent Evaluator a science-based institution of higher education.

(3) REQUIREMENTS.—The Administrator shall only select as Independent Evaluator a nominee that the Administrator determines demonstrates excellence in marine science, policy evaluation, or other studies relating to complex environmental restoration activities.

(c) REPORTS.—Not later than 180 days after the date of appointment and once every 2 years thereafter, the Independent Evaluator shall submit to Congress a report describing the findings and recommendations of reviews conducted under subsection (a).

#### SEC. 5. PROHIBITION ON NEW FUNDING.

No additional funds are authorized to be appropriated to carry out this Act.

The bill (S. 1000), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The bill (H.R. 5069) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. VITTER. Did that unanimous consent agreement cover both bills?

The PRESIDING OFFICER. The Senator is correct.

Mr. VITTER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

#### NOMINATION OF ROBERT S. ADLER TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION—Continued

Mr. WARNER. Madam President, I ask unanimous consent that the time in any quorum calls be charged equally to both sides.

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

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TAX EXTENDERS

Mr. HATCH. Madam President, I wish to spend a few minutes today to discuss the ongoing saga of the 2014 tax extenders package.

Getting this legislation passed through the Senate has been quite an ordeal from the outset. As my colleagues will recall, the Finance Committee reported its tax extenders package in April and a few weeks later progress stalled on the Senate floor when the Senate majority leadership refused to allow votes on any amendments.

After that time—which was in mid-May—the tax extenders sat somewhat in limbo, although both sides acknowledged the desire to get something passed during the lameduck session, if not before.

The Finance Committee extenders package, if my colleagues remember, extended 55 expired or expiring tax provisions for 2 years without making any of them permanent.

The House took a different approach which was to make certain important tax provisions, such as the R&D tax credit, for example, permanent, bringing more certainty to American businesses, families, and individuals.

Over the past several weeks, negotiations have been ongoing in the hopes of producing a bill that combined the Senate Finance Committee's package with the approach taken by the House.

I am generally hesitant to publicly comment about what happens behind closed doors in negotiations; but, on the other hand, much of what happened next has already been printed in the media. That being the case, I don't feel too awkward discussing the recent turn of events that has brought us to where we are now with the tax extenders.

Last week, before the Thanksgiving holiday, the Speaker's office and the Senate majority leader's office were very close to reaching a deal on a tax extenders package—one that would have included all of the provisions from the EXPIRE Act, which is the Senate Finance Committee-reported tax extenders bill, as well as a number of permanent tax extender provisions.

This emerging deal would have been a reasonable compromise between Republicans and Democrats and between the House and Senate approaches to this matter. It was not the legislation I would have written, but as a compromise taking place in a Congress that is, for the time being, still divided, it was likely the best both parties could hope for.