

member shall protect the sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

“(6) CHAIRPERSON.—A stakeholder representative on the Advisory Committee who is elected by the appointed membership of the Advisory Committee shall chair the Advisory Committee.

“(d) SUBCOMMITTEES.—

“(1) MEMBERSHIP.—The Advisory Committee chairperson, in coordination with the Assistant Secretary, may establish within the Advisory Committee any subcommittee that the Assistant Secretary and Advisory Committee determine to be necessary. The Assistant Secretary and the Advisory Committee shall create subcommittees to address aviation security issues, including the following:

“(A) AIR CARGO SECURITY.—The implementation of the air cargo security programs established by the Transportation Security Administration to screen air cargo on passenger aircraft and all-cargo aircraft in accordance with established cargo screening mandates.

“(B) GENERAL AVIATION.—General aviation facilities, general aviation aircraft, and helicopter operations at general aviation and commercial service airports.

“(C) PERIMETER AND ACCESS CONTROL.—Recommendations on airport perimeter security, exit lane security and technology at commercial service airports, and access control issues.

“(D) SECURITY TECHNOLOGY.—Security technology standards and requirements, including their harmonization internationally, technology to screen passengers, passenger baggage, carry-on baggage, and cargo, and biometric technology.

“(2) RISK-BASED SECURITY.—All subcommittees established by the Advisory Committee chairperson in coordination with the Assistant Secretary shall consider risk-based security approaches in the performance of their functions that weigh the optimum balance of costs and benefits in transportation security, including for passenger screening, baggage screening, air cargo security policies, and general aviation security matters.

“(3) MEETINGS AND REPORTING.—Each subcommittee shall meet at least quarterly and submit to the Advisory Committee for inclusion in the annual report required under subsection (b)(4) information, including recommendations, regarding issues within the subcommittee.

“(4) SUBCOMMITTEE CHAIRS.—Each subcommittee shall be co-chaired by a Government official and an industry official.

“(e) SUBJECT MATTER EXPERTS.—Each subcommittee under this section shall include subject matter experts with relevant expertise who are appointed by the respective subcommittee chairpersons.

“(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee and its subcommittees.

“(g) DEFINITIONS.—In this section:

“(1) ADVISORY COMMITTEE.—The term ‘Advisory Committee’ means the aviation security advisory committee established under subsection (a).

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of Homeland Security (Transportation Security Administration).

“(3) PERIMETER SECURITY.—

“(A) IN GENERAL.—The term ‘perimeter security’ means procedures or systems to monitor, secure, and prevent unauthorized access to an airport, including its airfield and terminal.

“(B) INCLUSIONS.—The term ‘perimeter security’ includes the fence area surrounding

an airport, access gates, and access controls.”.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following new item:

“44946. Aviation Security Advisory Committee.”.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1204), as amended, was passed.

## TRANSPORTATION SECURITY ACQUISITION REFORM ACT

Mr. REID. I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 2719 and the Senate proceed to its immediate consideration.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2719) to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the Ayotte amendment, which is a substitute amendment, be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 3978) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2719), as amended, was passed.

## TRIBUTES TO DEPARTING SENATORS

TIM JOHNSON

Mr. REID. Mr. President, if the words Hemingway said so clearly—“man is not made for defeat”—applied to anyone in the world, they certainly apply to TIM JOHNSON. He is a testament to this sentiment because he never ever acknowledged defeat. He refuses to be defeated.

TIM never lost an election. He served in the House of Representatives from 1987 to 1997—for 10 years. He served in the State legislature. They weren't all easy votes and weren't all easy elections. He won his election in 2002 by 524 votes. Hundreds of thousands of votes were cast, but he won by 524 votes.

Senator TIM JOHNSON refused to succumb to defeat because he knew he was fighting for the people of South Da-

kota. He fought for South Dakota jobs when he fought to keep Ellsworth Air Force Base open and running. It was based near Rapid City, and he saved it from closing. He worked to this end, saving thousands of jobs, preserving a thriving economy based on that Ellsworth Air Force Base.

During his tenure in the House and Senate he fought for water, which is so important. People from so many other States don't realize how important water is to States such as South Dakota and many Western States. Water is something you always have to keep your eye on. He secured funding for the Mni Wiconi Rural Water Project and the Lewis and Clark Rural Water System. Combined, those two projects provided clean drinking water to some 400,000 people. That is half the population of the State of South Dakota.

Without question though, TIM's biggest fight took place in 2006. I can still remember that so clearly. I got a call from his chief of staff saying: You need to go to the hospital. TIM has been taken by ambulance to George Washington. So I went there because TIM had suffered a very bad bleed on the brain. He was born with this situation—no one knew of course—but it suddenly hit him. Lots of people have this condition, but most people don't have a bleed on their brain, but TIM did. I was there in the hospital with him. Barbara was there, his daughter Kelsey, and his two boys, Brendan and Brooks, came in as soon as they could. One was serving in the military after having seen combat duty as a member of the U.S. Army. The other boy is a lawyer and is now a U.S. attorney in South Dakota.

It was a very difficult time for his family and a difficult time for him especially. He was in surgery on more than one occasion. His life was threatened. Many people don't survive this difficult situation he was hit with. But he is a huge man. I, frankly, never realized how physically big and strong he was until I saw him lying there in the hospital. But TIM met these physical challenges, and they were very difficult. Ten months later he was back working in the Senate. He was here on the floor.

After this incident, his physical body would never be the same, but his mental capacity is better than ever. With the support of his wife Barbara, since 1969, and their three children, whose names I have already mentioned, he made this remarkable recovery. It was all very difficult. He had to learn to talk again, he had to learn to walk again, and much of his life now is physically different than it was before. He is now, a lot of times, in a wheelchair, but he has never asked for any sympathy. He has pushed forward as he always has his whole life.

Regardless of these changes to his body, his honorable, indomitable spirit is the same. One newspaper recently said, in speaking of TIM's return to the Senate:

Loss of integrity is a greater handicap to any politician and, once lost, cannot be regained with confidence. Johnson's integrity has never been in question.

TIM JOHNSON has his integrity. He has his unbreakable determination to fight for the people of South Dakota and just fight to do the things he needs to do.

TIM is retiring after 18 years in the Senate and 10 years in the House. To say he will be missed by the people of South Dakota is a gross understatement. He worked here with my predecessor, the Democratic leader Tom Daschle, and they got so many good things done for the State of South Dakota. Senator Daschle is missed as TIM will be missed, but their friendship is something I have long admired.

To show the type of person he is, the person he beat by 524 votes came back the next election and endorsed him—a Republican and long-time Member of the House and Senate, Larry Pressler. He endorsed TIM JOHNSON in his reelection. That is the kind of integrity TIM JOHNSON has. People admire him very much.

TIM JOHNSON leaves the Senate as he entered it, undefeated. I will miss him very much. My wife will miss Barbara. They are members of a book club, and I have seen their exchange of emails back and forth as to what books they should read, what they thought of the book, and where they are going to meet. So the Reids will miss the Johnsons. South Dakota will miss the Johnsons. But TIM will still proceed forward and be a great blessing to the State of South Dakota, as he has always been, and to his family.

TOM HARKIN

Mr. President, Abraham Lincoln once said:

I want it said of me by those who knew me best, that I always plucked a thistle and planted a flower where I thought a flower would grow.

Today I stand for just a few minutes to honor a man by the name of TOM HARKIN. Throughout his time in the Senate he has planted many flowers—so many we can't count them all. TOM HARKIN's legacy of fighting for all Americans, particularly those who are disadvantaged, will never be forgotten. In fact, no one in the history of this institution has done more for people who have a physical disadvantage, an emotional disadvantage, a mental disadvantage, and disadvantages generally, than TOM HARKIN.

TOM's life wasn't easy. His father was a miner. His mother, a Slovenian immigrant, died when TOM was 10 years old. He and his family pushed forward, living in a house without hot water or a furnace.

Not one to use his difficult upbringing as an excuse, TOM HARKIN pushed himself very hard. He attended Iowa State University. He came there on a Navy ROTC scholarship. Upon graduation, he enlisted in the Navy and became an Active-Duty pilot—a naval pilot.

I have such admiration for naval pilots, for all pilots, really, but thinking of landing on an aircraft carrier out in the middle of the ocean, that postage stamp size you have to try to find and land out there is something Navy pilots do, and TOM HARKIN did this.

In 1974 he was elected to represent Iowa's Fifth Congressional District, a seat he held for 10 years. When he came to the Senate in 1984, TOM, similar to President Lincoln before him, encountered many thistles.

He was especially motivated to help millions of Americans with disabilities, as I have already said. Here is what TOM HARKIN said once:

I heard stories from individuals who had to crawl on their hands and knees to go up a flight of stairs, who couldn't ride a bus because there wasn't a lift or couldn't cross a street in a wheelchair because there were no curb cuts. Millions of Americans were denied access to their own communities and to the American dream.

TOM did a lot to make sure people did have the ability to dream. What did he do? He encountered the injustice faced by millions of disabled Americans and responded by authoring the Americans with Disabilities Act.

People don't realize now what those disabled people had to go through. There was a big dispute here in the Senate and in the House as to whether Members of Congress should vote for this. It created a lot of issues for businesses. A former Member of the House of Representatives, James Bilbray of Nevada, was getting a lot of pressure not to vote for this, but he voted for this, and here is why he voted for it:

Just like TOM HARKIN saw this long before many of us did, James Bilbray had a friend whose daughter was confined to a wheelchair. This man wanted to visit Congressman Bilbray and his family here in Washington, DC. What an ordeal it was. They couldn't find a place with a hotel room. They had trouble getting airline reservations. It was extremely difficult. So Jimmy Bilbray said: That is enough for me. I am voting for this.

This landmark legislation that was pushed and pushed by TOM HARKIN has helped to move areas of employment, public services, transportation, and telecommunications for people with disabilities. TOM HARKIN's work to protect the disadvantaged hasn't been just reactive, it has been preventative.

TOM has lost four siblings to cancer. In response to that heartbreak, what has he done? Senator HARKIN fought to double the funding for groundbreaking medical research at the National Institutes of Health. He had a partner in this for many years, Arlen Specter from Pennsylvania. They worked on that subcommittee, Labor-HHS, and Appropriations. Some will remember that this was an unbelievable thing he did to force us to spend more money on medical research. But in hindsight, what a blessing this was for America and for Members of the Senate who voted for this. It was good for us, and

it was good for the country. It was good for our constituents. With the extra money NIH got, they have engaged in a landmark effort to cure cancer, heart disease, and a myriad of other diseases.

We have a long way to go. Funding hasn't been adequate the last 6 years. The only boost we got in NIH funding was in the stimulus, the first few months of the Obama administration where we got additional money. That was done as a result of the work by TOM HARKIN and Arlen Specter, and that money now is not there. We need to do more for the National Institutes of Health.

TOM HARKIN has been tireless. He worked to triple the funding for the Centers for Disease Control. In fact, in ObamaCare he is the one who was responsible for the prevention title in that bill.

He has spent his career coming to the defense of the defenseless. A longtime defender of human rights, TOM has worked to fight child labor, both domestically and abroad. His tireless efforts gave him the U.S. Labor Department's Award for the Elimination of Child Labor.

I have spent much of my Senate life on the Senate floor. I can remember when I would look and see one of his staff come to the floor, and I thought: Oh, no. I knew we were in for some trouble. His name was Richard Bender. I really have such admiration for Senator HARKIN's staff, but it was epitomized when Richard Bender walked in this door because I knew HARKIN was going to do something we had not planned. Sometimes it took a lot longer to get things done because of Bender and HARKIN, but in the end it was always better for our country.

So after a lifetime of service, TOM will finally be able to spend his post-Senate time in another direction, still involved in a form of public service. I have such great admiration for Ruth, whom I know extremely well. I don't know Amy and Jenny, his daughters, but I do know they are going to be able to spend a little more time with their dad and her husband.

On a side note, TOM HARKIN is one of the few Senators who has been to my home in Searchlight. I was there one day, and I got a call. He said: "Are you going to be home?"

"Yes."

"Do you mind if we drop by?"

"No, I don't mind if you drop by."

So within an hour he was at my home in Searchlight.

So as TOM HARKIN closes a chapter of service to the American people, I salute TOM HARKIN on a job very well done. He has become the longest-serving Democratic Senator in Iowa's history, and he will be greatly missed.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. BOOKER). The Republican leader is recognized.