

on INF Treaty compliance information sharing.

S. 1925

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1925, a bill to limit the retrieval of data from vehicle event data recorders.

S. 1941

At the request of Mr. JOHANNIS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1941, a bill to establish requirements for the adoption of any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder, and for other purposes.

S. 1953

At the request of Mr. TESTER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1953, a bill to amend certain provisions of the Inspector General Act of 1978 and the Inspector General Improvement Act of 2008, and for other purposes.

S. 1956

At the request of Mr. SCHATZ, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Connecticut (Mr. MURPHY), the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Mexico (Mr. HEINRICH), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1956, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1957

At the request of Mr. BENNET, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1957, a bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes.

S. 1972

At the request of Mr. BLUMENTHAL, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1972, a bill to prohibit discrimination in employment on the basis of an individual's status or history of unemployment.

S. RES. 333

At the request of Mr. TOOMEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 333, a resolution strongly recommending that the United States renegotiate the return of the Iraqi Jewish Archive to Iraq.

S. RES. 340

At the request of Mr. BLUMENTHAL, the names of the Senator from Florida

(Mr. RUBIO), the Senator from Illinois (Mr. KIRK) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 340, a resolution expressing the sense of the Senate that all necessary measures should be taken to protect children in the United States from human trafficking, especially during the upcoming Super Bowl, an event around which many children are trafficked for sex.

S. RES. 341

At the request of Mr. PRYOR, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 341, a resolution observing the 100th birthday of civil rights leader Daisy Bates and honoring her legacy as an American heroine.

AMENDMENT NO. 2707

At the request of Mr. TOOMEY, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of amendment No. 2707 proposed to S. 1926, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to reform the National Association of Registered Agents and Brokers, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Mrs. FEINSTEIN, Mr. PRYOR, and Mr. NELSON):

S. 1976. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a breach of security; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, today, I am introducing the Data Security and Breach Notification Act of 2014. I introduce this bill with my good friend, Senator FEINSTEIN, Chairman of the Intelligence Committee, as well as Senators PRYOR and NELSON, valued Subcommittee Chairmen on the Senate Commerce Committee. I want to express my particular gratitude to Senator PRYOR for his work on this issue. He has long been the champion of data security legislation on the Commerce Committee, and his well-known commitment and expertise on this issue, as well as his support of our current bill, have proven to be indispensable.

While the recent breaches at Target and Neiman Marcus have made headlines, these breaches are nothing new. Data breaches have happened before, and they will inevitably occur in the future. Understanding this, there is much more that can be done to prevent breaches and, when they occur, respond to them.

Similarly, the concepts in today's bill are not new and have been considered by Congress before. The bill that Senators FEINSTEIN, PRYOR, NELSON,

and I introduce today is not a significant departure from the bill that Senator PRYOR and I introduced in the past two Congresses. Like the earlier bills, it is predicated on basic principles: companies should adopt strong security protocols to protect consumers' personal information; they should quickly notify affected consumers in the event of a breach; and the Federal Trade Commission, FTC, and State attorneys general should be empowered to fully enforce the law. With those principles as a framework, the bill we introduce today has four key elements.

First, it directs the FTC to promulgate rules establishing robust data security protocols that companies and nonprofits must adopt when collecting and storing consumers' personal information. These rules will be strong, but they will also be flexible. We recognize that security measures for a large multi-billion-dollar corporation may not be appropriate for a small business. As such, the Commission is required to consider the impact on small businesses and other mitigating factors in developing its rules.

Second, the bill requires breached companies to notify affected consumers unless there is no reasonable risk of identity theft, fraud, or other unlawful conduct. In so doing, the breached company must also provide those consumers with free credit reports. If companies adopt advanced technologies that render their personal data unreadable, indecipherable, or otherwise unusable, there is a rebuttable presumption that no risk to consumers exists. The FTC, in consultation with the National Institute of Standards and Technology, shall establish guidelines identifying the technologies that would qualify for this rebuttable presumption.

Third, the bill will establish a two-pronged enforcement system, whereby the FTC and state Attorneys General are afforded not only traditional equitable remedies but civil penalty authority as well. Moreover, the bill makes it a criminal offense for anyone to knowingly conceal a data breach.

Lastly, our bill will require companies to report data breaches to a designated Federal government entity as established by the Department of Homeland Security. This entity will serve as a central repository for information on all data breaches of a certain magnitude and will, in turn, notify other relevant Federal and law enforcement agencies, such as the Department of Justice, Secret Service, FTC, and affected State Attorneys General.

I would like to note that, while the impetus behind introducing this bill is to provide consumers with the strongest protections possible, the bill will also provide businesses with regulatory certainty—something they currently lack. Our bill will finally codify into regulation what the FTC is already doing; that is, the Commission has a long history of bringing enforcement

actions against companies for negligent data security practices as violations of the FTC Act's broad prohibition against "unfair or deceptive acts or practices." Indeed, the Commission is currently embroiled in numerous data breach cases. The FTC's new data security rules mandated by our bill will finally provide more explicit detail to industry regarding the rules of the road. Importantly, the bill will create one set of Federal rules; it will preempt State laws with regard to data security and breach notification so that companies no longer have to operate under a patchwork of differing state laws.

Notwithstanding my frustration over Congress's decade-long failure to pass meaningful data security legislation, I remain hopeful that this year will be different. The American public is demanding that we do something about a problem that is only getting worse. As I noted earlier in my remarks, there will be more data breaches in the future—it is inevitable. And the consequences are not trivial. Not only do these data breaches impose potentially devastating financial consequences on consumers who are victimized by identity theft and other financial fraud, these breaches also threaten basic consumer privacy. Companies continue to collect, aggregate, and house an unfathomable amount of personal information about all of us. These same companies must guard that information with the highest of security standards. While I am not naive to think our bill will prevent all data breaches of the future, I am confident that it will go a long way towards pushing companies to do more—much more. And it will finally provide consumers with peace of mind that—when a breach does occur—they will be notified as soon as possible so they may take the necessary steps to protect themselves.

I thank Senators FEINSTEIN, PRYOR, and NELSON for helping me on this important bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 342—DESIGNATING FEBRUARY 3 THROUGH 7, 2014, AS "NATIONAL SCHOOL COUNSELING WEEK"

Mrs. MURRAY (for herself, Ms. COLLINS, Mr. LEVIN, Mr. CORNYN, Ms. KLOBUCHAR, Mr. CARDIN, Ms. LANDRIEU, Mr. COCHRAN, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:—

S. RES. 342

Whereas the American School Counselor Association has designated February 3 through 7, 2014, as "National School Counseling Week";

Whereas the importance of school counseling has been recognized through the inclusion of elementary and secondary school counseling programs in amendments to the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

Whereas school counselors have long advocated for equal opportunities for all students;

Whereas school counselors help develop well-rounded students by guiding students through academic, personal, social, and career development;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors play a vital role in ensuring that students are ready for college and careers;

Whereas school counselors play a vital role in making students aware of opportunities for financial aid and college scholarships;

Whereas school counselors assist with and coordinate efforts to foster a positive school climate, resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with personal trauma as well as tragedies in their communities and the United States;

Whereas students face myriad challenges every day, including peer pressure, bullying, depression, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas a school counselor is one of the few professionals in a school building who is trained in both education and mental health matters;

Whereas the roles and responsibilities of school counselors are often misunderstood;

Whereas the school counselor position is often among the first to be eliminated to meet budgetary constraints;

Whereas the national average ratio of students to school counselors is 471 to 1, almost twice the 250 to 1 ratio recommended by the American School Counselor Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week will increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 3 through 7, 2014, as "National School Counseling Week"; and

(2) encourages the people of the United States to observe National School Counseling Week with appropriate ceremonies and activities that promote awareness of the role school counselors play in schools and the community at large in preparing students for fulfilling lives as contributing members of society.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources on Tuesday, February 4, 2014, at 10 a.m., in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the nominations of Ms. Rhea S. Suh, to be Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, and Ms. Janice M. Schneider to be Assistant Secretary for Land and Minerals Management, Department of the Interior.

Because of the limited time available for the business meeting, witnesses may testify by invitation only. However, those wishing to submit written

testimony for the hearing record should send it to the Committee on Energy and Natural Resources, U.S. Senate, 304 Dirksen Senate Office Building, Washington, DC, 20510-6150, or by email to ian_nicholson@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Ian Nicholson at (202) 224-7143.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 6, 2014, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on S. 1784, the Oregon and California Land Grant Act of 2013, and S. 1966, the National Forest Jobs and Management Act of 2014.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510-6150, or by e-mail to John_Assini@energy.senate.gov.

For further information, please contact Michele Miranda at (202) 224-7556 or John Assini at (202) 224-9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on Thursday, January 30, 2014, at 10 a.m. in room 253 of the Russell Senate Office Building. The committee will hold a hearing entitled "West Coast and Western Pacific Perspectives on Magnuson-Stevens Act Reauthorization."

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Thursday, January 30, 2014, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building. The purpose of this oversight hearing is to explore opportunities and challenges associated with lifting the ban on U.S. crude oil exports. For further information, please contact Todd Wooten at (202) 224-3907, Abigail Campbell at (202) 224-4905, or Lauren Goldschmidt at (202) 224-5488.

The PRESIDING OFFICER. Without objection it is so ordered.