

**Subtitle B—Other Provisions****SEC. 431. OVERSIGHT OF GOVERNMENT PERFORMANCE.**

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified in the Office of Inspector General semiannual reports and the Office of Inspector General's list of unimplemented recommendations and on the Government Accountability Office's High Risk list and the annual report to reduce program duplication. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 (2 U.S.C. 632(d)) to the Committees on the Budget.

**SEC. 432. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.**

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

**SEC. 433. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

**SEC. 434. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.**

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)).

**SEC. 435. EXERCISE OF RULEMAKING POWERS.**

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

**GOLD STAR WIVES DAY**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 131.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 131) designating April 5, 2015, as "Gold Star Wives Day."

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 131) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 26, 2015, under "Submitted Resolutions.")

**SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 133 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 133) supporting the goals and ideals of National Public Health Week.

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

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, 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 resolution (S. Res. 133) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 114-1**

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy

be removed from the following treaty transmitted to the Senate on April 13, 2015, by the President of the United States: Protocol Amending the Tax Convention with Japan, Treaty Document No. 114-1.

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and a related agreement entered into by an exchange of notes (together the "proposed Protocol"), both signed on January 24, 2013, at Washington, together with correcting notes exchanged March 9 and March 29, 2013. I also transmit for the information of the Senate the report of the Department of State, which includes an overview of the proposed Protocol.

The proposed Protocol was negotiated to bring U.S.-Japan tax treaty relations into closer conformity with current U.S. tax treaty policy. For example, the proposed Protocol provides for an exemption from source-country withholding tax on all cross-border payments of interest, and updates the provisions of the existing Convention with respect to the mutual agreement procedure by incorporating mandatory arbitration of certain cases that the competent authorities of the United States and Japan have been unable to resolve after a reasonable period of time.

I recommend that the Senate give early and favorable consideration to the proposed Protocol and give its advice and consent to its ratification.

BARACK OBAMA.

THE WHITE HOUSE, April 13, 2015.

**ORDERS FOR TUESDAY, APRIL 14, 2015**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each. I further ask that the

Senate recess from 10:30 a.m. until 11:30 a.m. for the all-Senators briefing and that it recess again from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

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

### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:09 p.m., adjourned until Tuesday, April 14, 2015, at 10 a.m.

### NOMINATIONS

Executive nominations received by the Senate:

#### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DEAN A. REUTER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING SEPTEMBER 14, 2016, VICE JULIE FISHER CUMMINGS, TERM EXPIRED.

SHAMINA SINGH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2019, VICE ALAN D. SOLOMONT, RESIGNED.

#### IN THE AIR FORCE

GABRIEL CAMARILLO, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE DANIEL GINSBERG.

#### DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JOYCE LOUISE CONNERY, OF MASSACHUSETTS, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2019, VICE PETER STANLEY WINOKUR, RESIGNED.

JOSEPH BRUCE HAMILTON, OF TEXAS, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 18, 2016, VICE KENNETH L. MOSSMAN.

#### DEPARTMENT OF ENERGY

JONATHAN ELKIND, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS), VICE DAVID B. SANDALOW, RESIGNED.

#### DEPARTMENT OF STATE

WILLIAM A. HEIDT, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF CAMBODIA.

DAVID MALCOLM ROBINSON, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION, VICE FREDERICK D. BARTON, RESIGNED.

DAVID MALCOLM ROBINSON, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (CONFLICT AND STABILIZATION OPERATIONS), VICE FREDERICK D. BARTON, RESIGNED.

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be brigadier general

COL. JAMES J. BURKS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. JAMES C. BALSERAK  
BRIG. GEN. STEVEN J. BERRYHILL  
BRIG. GEN. KEVIN W. BRADLEY  
BRIG. GEN. PETER J. BYRNE  
BRIG. GEN. GRETCHEN S. DUNKELBERGER  
BRIG. GEN. RICHARD J. EVANS III  
BRIG. GEN. ROBERT M. GINNETTI  
BRIG. GEN. JEFFREY W. HAUSER  
BRIG. GEN. WILLIAM O. HILL  
BRIG. GEN. JOSEPH K. KIM

BRIG. GEN. JEROME P. LIMOGÉ, JR.  
BRIG. GEN. PAUL C. MAAS, JR.  
BRIG. GEN. JOHN P. MCGOFF  
BRIG. GEN. BRIAN C. NEWBY  
BRIG. GEN. MARC H. SASSEVILLE  
BRIG. GEN. MICHAEL E. STENCHEL  
BRIG. GEN. CAROL A. TIMMONS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be brigadier general

COL. KYLE W. ROBINSON

#### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be major general

BRIG. GEN. ROBERT D. CARLSON  
BRIG. GEN. DANIEL J. DIRE  
BRIG. GEN. MARY E. LINK  
BRIG. GEN. HUGH C. VAN ROOSEN

#### To be brigadier general

COL. VINCENT B. BARKER  
COL. LISA L. DOUMONT  
COL. ROBERT D. HARTER  
COL. JOHN F. HUSSEY  
COL. SCOTT R. MORCOMB  
COL. GERARD L. SCHWARTZ  
COL. RICHARD K. SELE  
COL. TRACY L. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### To be brigadier general

CHAPLAIN (COL.) THOMAS L. SOLHJEM

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be rear admiral

REAR ADM. (LH) MARK L. LEAVITT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. EUGENE H. BLACK III  
CAPT. DELL D. BULL  
CAPT. WILLIAM D. BYRNE, JR.  
CAPT. EDWARD B. CASHMAN  
CAPT. MOISES DELTORO III  
CAPT. STEPHEN C. EVANS  
CAPT. GREGORY J. FENTON  
CAPT. JOHN V. FULLER  
CAPT. MICHAEL P. HOLLAND  
CAPT. HUGH W. HOWARD III  
CAPT. JEFFREY W. HUGHES  
CAPT. THOMAS E. ISHEE  
CAPT. STEPHEN T. KOEHLER  
CAPT. YANCY B. LINDSEY  
CAPT. FRANCIS D. MORLEY  
CAPT. CATHAL S. O'CONNOR  
CAPT. JEFFREY E. TRUSSLER  
CAPT. WILLIAM W. WHEELER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. ANN M. BURKHARDT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. JAMES P. DOWNEY  
CAPT. STEPHEN F. WILLIAMSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. DANIELLE M. BARRETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. MICHAEL W. ZARKOWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. DAVID G. MANERO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. RONALD C. COPLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. PAUL PEARIGEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. ANNE M. SWAP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. PETER G. STAMATOPOULOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. JOHN W. KORKA

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be colonel

TROY S. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

#### To be colonel

LINELL A. LETENDRE

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

#### To be colonel

JAMES J. RAFTERY, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

#### To be colonel

DAVID A. HARPER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

#### To be colonel

STEVEN R. ANSLEY, JR.  
KAREN S. HANSON

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### To be lieutenant commander

BRIAN L. TICHENOR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

#### To be captain

CHERYL GOTZINGER

#### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD AS A MEMBER OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF UNDER TITLE 14, U.S.C., SECTION 188:

#### To be lieutenant commander

BRIAN J. MAGGI

### CONFIRMATION

Executive nomination confirmed by the Senate April 13, 2015:

#### THE JUDICIARY

ALFRED H. BENNETT, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.