

transferred to the field office at which the fees are collected and used by the field offices to process protests, leases, and permits under this Act subject to appropriation.

“(F) JUDICIAL REVIEW.—Actions of the Secretary carried out in accordance with this paragraph shall not be subject to judicial review.”.

SA 33. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AWARD OF LITIGATION COSTS TO PREVAILING PARTIES IN ACCORDANCE WITH EXISTING LAW.

Section 11(g)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)(4)) is amended by striking “to any” and all that follows through the end of the sentence and inserting “to any prevailing party in accordance with section 2412 of title 28, United States Code.”.

SA 34. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DISCLOSURE OF EXPENDITURES UNDER ENDANGERED SPECIES ACT OF 1973.

(a) REQUIREMENT TO DISCLOSE.—Section 13 of the Endangered Species Act of 1973 (87 Stat. 902; relating to conforming amendments which have executed) is amended to read as follows:

“SEC. 13. DISCLOSURE OF EXPENDITURES.

“(a) REQUIREMENT.—The Secretary of the Interior, in consultation with the Secretary of Commerce, shall—

“(1) not later than 90 days after the end of each fiscal year, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report detailing Federal Government expenditures for covered suits during the preceding fiscal year (including the information described in subsection (b)); and

“(2) make publicly available through the Internet a searchable database of the information described in subsection (b).

“(b) INCLUDED INFORMATION.—The report shall include—

“(1) the case name and number of each covered suit, and a hyperlink to the record or decision for each covered suit (if available);

“(2) a description of the claims in each covered suit;

“(3) the name of each covered agency whose actions gave rise to a claim in a covered suit;

“(4) funds expended by each covered agency (disaggregated by agency account) to receive and respond to notices referred to in section 11(g)(2) or to prepare for litigation of, liti-

gate, negotiate a settlement agreement or consent decree in, or provide material, technical, or other assistance in relation to, a covered suit;

“(5) the number of full-time equivalent employees that participated in the activities described in paragraph (4); and

“(6) attorneys fees and other expenses (disaggregated by agency account) awarded in covered suits, including any consent decrees or settlement agreements (regardless of whether a decree or settlement agreement is sealed or otherwise subject to nondisclosure provisions), including the bases for such awards.

“(c) REQUIREMENT TO PROVIDE INFORMATION.—The head of each covered agency shall provide to the Secretary in a timely manner all information requested by the Secretary to comply with the requirements of this section.

“(d) LIMITATION ON DISCLOSURE.—Notwithstanding any other provision of this section, this section shall not affect any restriction in a consent decree or settlement agreement on the disclosure of information that is not described in subsection (b).

“(e) DEFINITIONS.—

“(1) COVERED AGENCY.—The term ‘covered agency’ means any agency of the Department of the Interior, the Forest Service, the National Marine Fisheries Service, the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, or the Southeastern Power Administration.

“(2) COVERED SUIT.—The term ‘covered suit’ means any civil action containing a claim against the Federal Government, in which the claim arises under this Act and is based on the action of a covered agency.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by striking the item relating to such section and inserting the following:

“Sec. 13. Disclosure of expenditures.”.

(c) PRIOR AMENDMENTS NOT AFFECTED.—This section shall not be construed to affect the amendments made by section 13 of such Act, as in effect before the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 13, 2015, at 2 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Joseph Majkut, who is an American Association for the Advancement of Science fellow in my office, be granted floor privileges for the remainder of this Congress.

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

Mrs. MURRAY. Mr. President, on behalf of the Democratic leader, I ask unanimous consent that Neysa Call, a fellow in Senator REID's office, be granted floor privileges for the remainder of the 114th Congress.

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

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 7, which was received from the House.

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

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 7) providing for a joint session of Congress to receive a message from the President.

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The concurrent resolution (H. Con. Res. 7) was agreed to.

MEASURE READ THE FIRST TIME—H.R. 33

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 33) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

DISCHARGE AND REFERRAL—S. 32

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill S. 32 be discharged from the Committee on Finance and that it be referred to the Committee on the Judiciary.

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

ORDERS FOR FRIDAY, JANUARY 16, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Friday, January 16; 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; and the Senate resume consideration of S. 1 as under the previous order.

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

PROGRAM

Mr. McCONNELL. We were able to reach an agreement to proceed to the Keystone bill this afternoon and start processing amendments to this bipartisan jobs and infrastructure bill. There are several amendments pending from Senators on both sides of the aisle, and I would encourage everyone to work with Senator MURKOWSKI and Senator CANTWELL to get in the queue for consideration.

The next votes will occur on Tuesday, January 20, following the weekly conference meetings.

ADJOURNMENT UNTIL FRIDAY, JANUARY 16, 2015, AT 9:30 A.M.

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 6:36 p.m., adjourned until Friday, January 16, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ALISSA M. STARZAK, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY, VICE BRAD CARSON, RESIGNED.

FEDERAL DEPOSIT INSURANCE CORPORATION

JAY NEAL LERNER, OF ILLINOIS, TO BE INSPECTOR GENERAL, FEDERAL DEPOSIT INSURANCE CORPORATION, VICE JON T. RYMER, RESIGNED.

FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2019. (REAPPOINTMENT)

DEPARTMENT OF TRANSPORTATION

DANIEL R. ELLIOTT III, OF OHIO, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2018. (REAPPOINTMENT)

CARLOS A. MONJE, JR., OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE POLLY TROTTERBERG, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JOYCE A. BARR, OF WASHINGTON
ROBERT F. GODEC, JR., OF VIRGINIA
PATRICIA M. HASLACH, OF VIRGINIA
PAUL WAYNE JONES, OF NEW YORK
SCOT ALAN MARCIEL, OF VIRGINIA
NANCY E. MCELDOWNEY, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER-MINISTER:

KAREN L. FREEMAN, OF VIRGINIA
RICHARD S. GREENE, OF VIRGINIA
JOHN GROARKE, OF THE DISTRICT OF COLUMBIA
THOMAS CHRISTOPHER MILLIGAN, OF THE DISTRICT OF COLUMBIA
MONICA STEIN-OLSON, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

JEFFREY N. BAKKEN, OF MINNESOTA

DAVID J. BARTH, OF VIRGINIA
JERRY PAUL BISSON, OF VIRGINIA
ALEXANDRE DEPREEZ, OF FLORIDA
AZZA EL-ABD, OF THE DISTRICT OF COLUMBIA
STEPHANIE A. FUNK, OF FLORIDA
R. DAVID HARDEN, OF MARYLAND
STEPHEN M. HAYKIN, OF WASHINGTON
KAREN LOUISE RUFFING HILLIARD, OF FLORIDA
SARAH-ANN LYNCH, OF MARYLAND
PETER R. NATIELLO, OF FLORIDA
DIANA B. PUTMAN, OF CONNECTICUT
JAMES E. WATSON II, OF VIRGINIA
MARK ANTHONY WHITE, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

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CHRISTIAN D. BARRATT, OF WASHINGTON
CAROLYN B. BRYAN, OF VIRGINIA
FERNANDO COSSICH, OF FLORIDA
AMAN S. DJAHANBANI, OF MARYLAND
BRUCE GELBAND, OF VIRGINIA
ERIN HOLLERAN, OF MISSOURI
F. CATHERINE JOHNSON, OF VIRGINIA
SEAN M. JONES, OF FLORIDA
ANDREW JAMES KARAS, OF FLORIDA
DANIEL CHADWICK MOORE II, OF CALIFORNIA
JO LESSER-OLTHETEN, OF THE DISTRICT OF COLUMBIA
JOHN A. PENNELL, OF FLORIDA
NEIL GERARD PRICE, OF VIRGINIA
LAWRENCE M. RUBBY, OF MARYLAND
JOEL B. SANDEFUR, OF CALIFORNIA
JOHN H. SEONG, OF FLORIDA
MONICA SMITH, OF NEW YORK
JOHN DIXON SMITH-SREEN, OF FLORIDA
JAMES IRWIN STEIN, OF VIRGINIA
KATHRYN DAVIS STEVENS, OF VIRGINIA
JENE CLARK THOMAS, OF TEXAS
SARA R. WALTER, OF KANSAS
ELLEN MARIE ZEHR, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

GREGORY ADAMS, OF VIRGINIA
LARRY EDWARD ANDRE, JR., OF TEXAS
ELIZABETH MOORE AUBIN, OF MARYLAND
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RENIA BITTER, OF THE DISTRICT OF COLUMBIA
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WILLIAM BRENT CHRISTENSEN, OF VIRGINIA
SANDRA ELIANE CLARK, OF VIRGINIA
MARK J. DAVIDSON, OF THE DISTRICT OF COLUMBIA
JOHN PAUL DESROCHER, OF THE DISTRICT OF COLUMBIA
BENJAMIN BEARDSLEY DILLE, OF MINNESOTA
BRUCE E. DONAHUE, OF VIRGINIA
WILLIAM H. DUNCAN, OF TEXAS
JOHN MARTIN EUSTACE, JR., OF VIRGINIA
CHRISTOPHER FITZGERALD, OF IOWA
LAWRENCE W. GERSON, OF TEXAS
THOMAS B. GIBBONS, OF VIRGINIA
WILLIAM KEVIN GRANT, OF VIRGINIA
KRISTIN M. HAGERSTRAM, OF LOUISIANA
MATTHEW TRACY HARRINGTON, OF GEORGIA
BRENT R. HEIEN, OF MARYLAND
DEBRA P. HEIEN, OF HAWAII
SIMON HENSHAW, OF VIRGINIA
CHRISTOPHER PAUL HENZEL, OF NEW YORK
L. VICTOR HURTADO, OF COLORADO
MAKILA JAMES, OF THE DISTRICT OF COLUMBIA
KATHY A. JOHNSON, OF TEXAS
PATRICIA K. KABRA, OF THE DISTRICT OF COLUMBIA
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GLEN C. KEISER, OF CALIFORNIA
LAURA JEAN KIRKCONNELL, OF FLORIDA
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JUDITH A. MOON, OF VIRGINIA
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ANN E. PFORZHEIMER, OF NEW YORK
H. DEAN PITTMAN, OF THE DISTRICT OF COLUMBIA
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SUSAN N. STEVENSON, OF VIRGINIA
KEVIN KING SULLIVAN, OF VIRGINIA
LYNNE M. TRACY, OF OHIO
BRUCE IRVIN TURNER, OF FLORIDA
CONRAD WILLIAM TURNER, OF VIRGINIA
KAREN L. WILLIAMS, OF FLORIDA

BRIAN WILLIAM WILSON, OF WASHINGTON
CHARLES E. WRIGHT, OF CALIFORNIA
HOYT B. YEE, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

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JAN LIAM WASLEY, OF NEW JERSEY
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SAU CHING YIP, OF VIRGINIA
ANDREW ROBERT YOUNG, OF CALIFORNIA
DAVID J. YOUNG, OF VIRGINIA
RICARDO F. ZUNIGA, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

RICARDO COLON CIFREDO, OF VIRGINIA
DANIEL SYLVESTER CROMIN, OF VIRGINIA
CHAYAN C. DEY, OF FLORIDA
PETER T. GABRIN, OF NEW MEXICO
DAVID W. HALL, OF MASSACHUSETTS
JAMES O. INDER, OF FLORIDA
JEANNE PERSCHY KINNETT, OF MARYLAND